



## **AGENDA & BUSINESS PAPERS**

Notice is hereby given, in accordance with the provision of the *Local Government Act 1993* that a meeting of Uralla Shire Council will be held in the Council Chambers, 32 Salisbury Street, Uralla.

## **ORDINARY COUNCIL MEETING**

**26 March 2024**

**Commencing at 4:00pm**



### **Statement of Ethical Obligations**

The Mayor and Councillors are bound by the Oath/ Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of Uralla Shire and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act* or any other Act, to the best of their skill and judgement.

It is also a requirement that the Mayor and Councillors disclose conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with Council's Code of Conduct and Code of Meeting Practice.

Toni Averay

**General Manager**

**AGENDA**

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## 7 CONFIRMATION OF MINUTES

### 7.1 Confirmation of Minutes held 27 February 2024 Ordinary Meeting


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**Department:** General Manager's Office

**Prepared By:** Executive Assistant

**Authorised By:** General Manager

**Reference:** UINT/24/4145

**Attachments:** 1. Minutes 27 February 2024 Ordinary Meeting [↓](#) 

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### RECOMMENDATION

That Council adopt the minutes of the Ordinary Meeting held 27 February 2024 as a true and correct record.



## MINUTES of

### ORDINARY COUNCIL MEETING

Held on 27 February 2024 at 4:00pm

#### Attendance at Meeting:

**Councillors:** Mayor R Bell (Chair)  
Deputy Mayor R Crouch  
Cr T Bower  
Cr S Burrows  
Cr L Doran  
Cr McMullen  
Cr T O'Connor  
Cr L Petrov  
Cr T Toomey

#### Apologies:

Nil

#### Staff:

Ms T Averay General Manager  
Mr M Raby Director Infrastructure & Development  
Mr S Williams, Interim Director Corporate & Community  
Mr M Ahammed, Manager Finance & IT  
Mr S Vivers, Acting Manager, Development & Planning  
Ms W Westbrook, Executive Assistant

## ORDINARY COUNCIL MEETING MINUTES

27 FEBRUARY 2024

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AUDIO Minutes of meeting link:  
<https://urallashirecouncil.podbean.com/e/26th-february-2024-ordinary-meeting-of-uralla-shire-council/>

CONFIRMED

## ORDINARY COUNCIL MEETING MINUTES

27 FEBRUARY 2024

**1 OPENING & WELCOME**

The Chair declared the meeting opened at 4:00pm.

**2 PRAYER**

The Chair recited the Uralla Shire Council prayer.

**3 ACKNOWLEDGEMENT OF COUNTRY**

The Chair read the acknowledgement of country.

**4 WEBCAST INFORMATION**

The Chair advised the meeting was recorded, with the recording to be made available on Council's website following the meeting and reminded the attendees from making defamatory statements.

**5 APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS****6 DISCLOSURE & DECLARATIONS OF INTEREST/S**

Cr Bruce McMullen declared non-significant non-pecuniary interest in relation to item 14.11, being family related.

Mayor Robert Bell declared non-significant non-pecuniary interest in relation to item 14.11, due to being a member of Rotary.

Cr Tom O'Connor declared significant non-pecuniary interest in relation to item 14.11, due to Officer Treasurer for Rotary Art Show.

Deputy Mayor Robert Crouch declared significant non-pecuniary interest in relation to item 14.6, due to being owner of related property in Uralla.

Cr Leanne Doran declared non-significant non-pecuniary interest in relation to item 14.11, due to being a Rotarian.

Cr Leanne Doran declared non-significant non-pecuniary interest in relation to item 14.12, due to being a member of Uralla Neighbourhood Centre, but not an Executive..

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ORDINARY COUNCIL MEETING MINUTES27 FEBRUARY 2024

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**7 CONFIRMATION OF MINUTES****7.1 CONFIRMATION OF MINUTES HELD 19 DECEMBER 2023 ORDINARY MEETING****RESOLUTION 01.02/24****Moved:** Cr Leanne Doran**Seconded:** Cr Bruce McMullen**That Council adopt the minutes of the Ordinary Meeting held 19 December 2023 as a true and correct record.****For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey**Against:** Nil**CARRIED 9/0****8 URGENT, SUPPLEMENTARY, AND LATE ITEMS OF BUSINESS (INCLUDING PETITIONS)**

Nil.

**9 WRITTEN REPORTS FROM DELEGATES****9.1 MAYORS DELEGATE REPORT DECEMBER 2023 & JANUARY 2024****RESOLUTION 02.02/24****Moved:** Cr Bruce McMullen**Seconded:** Cr Tom O'Connor**That Council received the Mayor's Delegate Activity Report for December 2023 & January 2024.****For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey**Against:** Nil**CARRIED 9/0**

## ORDINARY COUNCIL MEETING MINUTES

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**10 PUBLIC FORUM**

The Chair Introduced the speaker:

**Speaker:** Angus Witherby

The speaker made a presentation to Council against the Item DA-57-2023

The Chair thanked the speaker for his presentation

The Chair Introduced the speaker:

**Speaker:** Matthew Varley

The speaker made a presentation to Council for the Item DA-57-2023

The Chair thanked the speaker for his presentation

**PROCEDURAL MOTION TO MOVE AN ITEM****RESOLUTION 03.02/24**

**Moved:** Mayor Robert Bell

**Seconded:** Deputy Mayor Robert Crouch

**That Council move Item 14.2 to be heard after Item 10 and**

**Move item 14.12 to be heard after item 14.2 (moved to after item 10).**

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

**Against:** Nil

**CARRIED 9/0**

**14.2 DEVELOPMENT APPLICATION - DA-57-2023 - 19 LOT SUBDIVISION - LOT 4 DP 590685 - MUNDAYS LANE SAUMAREZ PONDS****RESOLUTION 04.02/24**

**Moved:** Cr Tom O'Connor

**Seconded:** Cr Lone Petrov

**Following a division decision the following has been resolved:**

## ORDINARY COUNCIL MEETING MINUTES

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That Council authorises approval of Development Application (DA-57-2023) for a nineteen (19) lot subdivision of Lot 4 DP 590685, land on Mundays Lane SAUMAREZ PONDS, under delegated authority to the General Manager, subject to:

- i. Submission of an amended plan and supporting information including dedication of emergency access and pedestrian land to Council;
- ii. The future emergency and pedestrian access to be constructed to deliver all-weather access to Council's satisfaction;
- iii. Compliance with Clause 4.6 of the Uralla Local Environmental Plan 2012; and
- iv. The conditions of consent in the attached Notice of Determination, except where varied by the above.

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

**Against:** Nil

CARRIED 9/0

#### 14.12 PROPOSED LICENCE OF THE RSL MEMORIAL HALL TO URALLA NEIGHBOURHOOD CENTRE.

##### RESOLUTION 05.02/24

**Moved:** Cr Tom O'Connor

**Seconded:** Cr Leanne Doran

1. That Council licenses the occupation of part Lot 67 in DP881705 being the RSL Memorial Hall to the Uralla Neighbourhood Centre Incorporated for a period of 2 years for the purposes of managing the facility and delivering community support services to residents and families in the Uralla Shire area; and
2. The General Manager executes the licence under delegated authority.

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

**Against:** Nil

CARRIED 9/0



## ORDINARY COUNCIL MEETING MINUTES

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**11 MAYORAL MINUTE****11.1 MAYORAL MINUTE - COST SHIFTING BY NSW GOVERNMENT POLICIES****RESOLUTION 06.02/24****Moved:** Mayor Robert Bell**Seconded:** Cr Tara Toomey**That Council:**

1. Receives and notes the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year; and
2. Places a copy of the cost shifting report on Council's website so that our communities can access it; and
3. Writes to the Premier, the NSW Treasurer, the NSW Minister for Local Government and our local State member, the Hon Adam Marshall MP, seeking that the State government urgently addresses these issues through a combination of regulatory reform, budgetary provision and appropriate funding; and
4. include a full copy of the LGNSW Cost Shifting report in the minutes in lieu of the hyperlink.

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

**Against:** Nil

**CARRIED 9/0****Attachments**

- 1 Morrison & Low Cost Shifting

Please find attached the report from Morris & Low on Cost Shifting following relating to the above item following this document (after page xx).

## ORDINARY COUNCIL MEETING MINUTES

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**12 NOTICE OF MOTION/QUESTIONS WITH NOTICE****12.1 NOTICE OF MOTION - CONSTITUTIONAL REFERENDUM - UPDATED EXECUTIVE ADVICE****RESOLUTION 07.02/24****Moved:** Cr Tom O'Connor**Seconded:** Cr Leanne Doran

That Council resolves to hold a Constitutional Referendum in conjunction with the next ordinary Council election, due in September 2024, to seek community opinion [Local Government Act (1993) Chapter 4, Part 3] with the following Constitutional Referendum Questions:

1. Are you in favour of the Mayor being elected by the Councillors?
2. Are you in favour of removing the current ward system so that all electors vote for all Councillors that represent the Uralla Shire Council area?

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Tom O'Connor, Lone Petrov and Tara Toomey

**Against:** Cr Bruce McMullen

**CARRIED 8/1****PROCEDURAL MOTION - BREAK****RESOLUTION 08.02/24****Moved:** Cr Leanne Doran**Seconded:** Cr Tim Bower

The Chair called for a short break at 5:35pm

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

**Against:** Nil

**CARRIED 9/0****PROCEDURAL MOTION - RETURN****RESOLUTION 09.02/24****Moved:** Mayor Robert Bell**Seconded:** Cr Leanne Doran

The Chair reconvened the meeting after a short break at 5:50pm

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**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

**Against:** Nil

CARRIED 9/0

**13 REPORT OF COMMITTEES****13.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING 15 JANUARY 2024 - SUMMARY REPORT****RESOLUTION 10.02/24**

**Moved:** Cr Tara Toomey

**Seconded:** Cr Bruce McMullen

That Council receives and notes the summary report of the Audit, Risk and Improvement Committee meeting held 15 January 2024 with the amendment:

- a) Council note the report has been amended from 'exit to extend' on page 32 (6<sup>th</sup> dot point).

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

**Against:** Nil

CARRIED 9/0

## ORDINARY COUNCIL MEETING MINUTES

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**14 REPORTS TO COUNCIL****14.1 MEMBERSHIP - BUNDARRA SCHOOL OF ARTS HALL AND COMMUNITY CONSULTATIVE S355 COMMITTEE****RESOLUTION 11.02/24****Moved:** Cr Leanne Doran**Seconded:** Deputy Mayor Robert Crouch

That Council accepts the membership application received from Ms Jennifer Dezius and appoints her as a member of the Bundarra School of Arts Hall and Community Consultative s355 Committee.

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

**Against:** Nil

**CARRIED 9/0****14.3 RURAL PROPERTY SIGNS PROPOSAL****RESOLUTION 12.02/24****Moved:** Cr Tara Toomey**Seconded:** Cr Tim Bower**That Council :**

1. Notes that the intention of the Uralla Rural Property Address Scheme is based on the voluntary participation by rural landowners who would only be subject to the charge if they ordered a rural property address sign.
2. Notes that the full recovery cost to Council for supplying and installing a rural property address sign is assessed to be \$360.00 per unit.
3. Endorses the *inclusion of a \$360 fee in the Draft 2024/25 Fees and Charges, being the fee for individual rural property owners who wish to participate in the Uralla Rural Property Address signage scheme*

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

**Against:** Nil

**CARRIED 9/0**

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## 14.4 PROJECT UPDATES - PUBLIC SPACES LEGACY PROGRAM

## RESOLUTION 13.02/24

Moved: Cr Tim Bower

Seconded: Cr Leanne Doran

That Council notes the update and status reports for the Rotary Park Project; the Pioneer Park Project; and the Glen Project.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

## 14.5 TREE MANAGEMENT GUIDELINES

## RESOLUTION 14.02/24

Moved: Cr Sarah Burrows

Seconded: Cr Leanne Doran

That Council

1. Notes the submissions received.
2. Notes the staff responses and amendments to the guidelines related to the submissions: and,
3. Adopts the amended Guidelines for Tree Management with the following amendment:

*Council is responsible for the pruning of all trees on the streets, and residents are not generally permitted to prune street trees. If you believe a street tree needs pruning, please contact Council's Customer Service team to request staff to check the tree and take appropriate action. In cases where residents have typically maintained these trees, they should seek permission from Council before continuing to do so"; and*

4. Note the advice from the Director Infrastructure & Development that a rural roads reserve management policy will be prepared for Council consideration for a future meeting, including guidance related to rural landowner boundary areas.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

## ORDINARY COUNCIL MEETING MINUTES

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## PROCEDURAL MOTION - BREAK

## RESOLUTION 15.02/24

Moved: Cr Tim Bower

Seconded: Cr Leanne Doran

The Chair called for a short break at 6:33pm

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

## PROCEDURAL MOTION - RETURN

## RESOLUTION 16.02/24

Moved: Mayor Robert Bell

Seconded: Cr Leanne Doran

The Chair reconvened the meeting after a short break at 6:58pm

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

At 6:59 pm, Cr Bruce McMullen left the meeting having declared a non-pecuniary interest.

At 6:59 pm, Deputy Mayor Robert Crouch left the meeting having declared a non-pecuniary interest.

## 14.6 URGENT MINOR WORKS REQUIREMENTS

## RESOLUTION 17.02/24

Moved: Cr Tom O'Connor

Seconded: Cr Tim Bower

That Council:

1. Endorses the intention to install replacement perimeter stock fencing to renew the failed existing perimeter fencing at Council's Uralla Sewer Treatment at an estimated cost of \$8,000 drawn from unexpended Sewer Capital Renewal funds which are available within the current budget.

## ORDINARY COUNCIL MEETING MINUTES

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2. Endorses the intention to install approximately 50m of stormwater pipe in order to underground the existing flows of stormwater through the private property at 72 Hill Street, at an estimated cost of \$10,000 drawn from unexpended Stormwater Capital Renewal funds which are available within the current budget.
3. Notes that future investigation of stormwater impacts on two further properties downstream of 72 Hill Street will be undertaken and further stormwater undergrounding may be recommended to Council during the budget setting processes for the Financial Year 2024/2025.

**For:** Crs Robert Bell, Tim Bower, Sarah Burrows, Leanne Doran, Tom O'Connor, Lone Petrov and Tara Toomey

**Against:** Nil

**Absent:** Crs Robert Crouch and Bruce McMullen

CARRIED 7/0

At 7:05 pm, Cr Bruce McMullen returned to the meeting.

At 7:05 pm, Deputy Mayor Robert Crouch returned to the meeting.

#### 14.7 QUARTERLY BUDGET REVIEW DECEMBER 2023-24 (QBR)

##### RESOLUTION 18.02/24

**Moved:** Cr Tom O'Connor

**Seconded:** Cr Lone Petrov

1. The second quarter budget review summary for the 2023/24 financial year be received and noted; and
2. The adjustments to budget allocations listed in the budget review statement be adopted.

**For:** Crs Robert Bell, Robert Crouch, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor and Lone Petrov

**Against:** Crs Tim Bower and Tara Toomey

CARRIED 7/2

#### 14.8 MONTHLY FINANCE REPORT FOR JANUARY 2024

##### RESOLUTION 19.02/24

**Moved:** Cr Tom O'Connor

**Seconded:** Cr Tara Toomey

That Council receives the attached Monthly Finance Report for January 2024 with amendment:

1. Item 6 loan amount Bridge Loan to \$1.184m

## ORDINARY COUNCIL MEETING MINUTES

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**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

**Against:** Nil

CARRIED 9/0

## 14.9 LOANS AS AT 31 JANUARY 2024

## RESOLUTION 20.02/24

**Moved:** Cr Tim Bower

**Seconded:** Cr Sarah Burrows

That Council notes the loan position as at 31 January 2024 totalling \$1,392,395.

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

**Against:** Nil

CARRIED 9/0

## 14.10 INVESTMENTS AT 31 JANUARY 2024

## RESOLUTION 21.02/24

**Moved:** Cr Tom O'Connor

**Seconded:** Cr Tim Bower

That Council notes the cash position as at 31 January 2024 consisting of cash and overnight funds of \$1,843,426 and term deposits of \$23,068,862 totalling \$24,912,287 of convertible funds, including restricted funds.

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

**Against:** Nil

CARRIED 9/0



## ORDINARY COUNCIL MEETING MINUTES

27 FEBRUARY 2024

## PROCEDURAL MOTION

## RESOLUTION 22.02/24

Moved: Cr Leanne Doran

Seconded: Cr Sarah Burrows

That Council hear the following item 14.11 to be split and heard separately

1. Rotary Art Show Sponsorship; and
2. Elders Olympics Donation

CARRIED

Deputy Mayor took up the chair as requested by the Mayor.

At 7:24 pm, Mayor Robert Bell left the meeting having declared a non-pecuniary interest.

At 7:24 pm, Cr Bruce McMullen left the meeting having declared a non-pecuniary interest.

At 7:24 pm, Cr Tom O'Connor left the meeting having declared a non-pecuniary interest.

## 14.11-1 REQUESTS FOR SPONSORSHIP &amp; DONATION - ROTARY ART SHOW 2024 - ELDERS OLYMPICS 2024

## RESOLUTION 23.02/24

Moved: Cr Sarah Burrows

Seconded: Cr Lone Petrov

That Council maintains the current sponsorship allocation to the Rotary Club of Uralla for the Rotary Art Show 2024 of \$1,000.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Lone Petrov and Tara Toomey

Against: Nil

Absent: Crs Robert Bell, Bruce McMullen, Tom O'Connor

CARRIED 9/0

At 7:28 pm, Mayor Robert Bell returned to the meeting.

At 7:28 pm, Cr Tom O'Connor returned to the meeting.

## ORDINARY COUNCIL MEETING MINUTES

27 FEBRUARY 2024

## 14.11-2 ELDERS OLYMPICS 2024 DONATION

## RESOLUTION 24.02/24

Moved: Cr Tim Bower

Seconded: Cr Lone Petrov

That Council donates \$300 to contribute to transport and accommodation costs to support the Combined Aboriginal Elders Group to attend the 2024 Elders Olympics in Kempsey.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

## 14.13 GRACE MUNRO AGED CARE CENTRE - LEASING MATTERS

## RESOLUTION 25.02/24

Moved: Deputy Mayor Robert Crouch

Seconded: Cr Sarah Burrows

1. That Council provides written consent to Grace Munro Aged Care Centre limited for the grant of a sub-lease of part lot 24 in DP753646 to Transport for New South Wales for the purposes of providing access for the Lone Pine Walkway Replacement Project.
2. That Council provides a letter of support to Grace Munro Aged Care Centre limited for a grant of \$460,000 for the proposed extension of the facility on the condition that Grace Munro Aged Care Centre limited will be responsible for the future maintenance and renewal costs of the extension and will indemnify Council for any damage to the existing building arising from construction work associated with the extension.
3. That a report be brought back to the May 2024 Ordinary meeting on proposed terms and conditions of a long term lease of the facility to Grace Munro Aged Care Centre limited

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

Against: Nil

CARRIED 9/0

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ORDINARY COUNCIL MEETING MINUTES27 FEBRUARY 2024

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**14.14 REGISTER RESOLUTIONS ACTIONS STATUS AS AT 22 FEBRUARY 2024****RESOLUTION 26.02/24****Moved:** Cr Leanne Doran**Seconded:** Cr Tara Toomey**That Council notes the Resolution Actions Status Report as at 22 February 2024.****For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey**Against:** Nil**CARRIED 9/0**

Please find a copy of the Resolution Actions Status report on additional pages following for the above item following this document (after page xx)

## ORDINARY COUNCIL MEETING MINUTES

27 FEBRUARY 2024

**15 CONFIDENTIAL MATTERS****RESOLUTION 27.02/24****Moved:** Cr Tom O'Connor**Seconded:** Cr Tara Toomey

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the *Local Government Act 1993*:

**15.1 McMaugh Gardens Residential Aged Care Facility Business Review - Appointment of Consultant**

This matter is considered to be confidential under Section 10A(2) - d(i) of the *Local Government Act 1993*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

**Against:** Nil

**CARRIED 9/0****RESOLUTION 29.02/24****Moved:** Cr Tara Toomey**Seconded:** Cr Tim Bower

That Council return to Open Session of Council and that resolutions of Closed Session of Council become the resolutions of Open session of Council.

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

**Against:** Nil

**CARRIED 9/0**

## ORDINARY COUNCIL MEETING MINUTES

27 FEBRUARY 2024

**16 COMMUNICATIONS OF COUNCIL DECISIONS**

The Chair communicated the Council decisions from the closed session.

**15.1 MCMAUGH GARDENS RESIDENTIAL AGED CARE FACILITY BUSINESS REVIEW - APPOINTMENT OF CONSULTANT****RESOLUTION 28.02/24**

**Moved:** Cr Tara Toomey

**Seconded:** Cr Sarah Burrows

1. Council accepts the Stewart Brown Chartered Accountants proposal dated 13/09/2023 to undertake an updated review of the McMaugh Gardens Aged Care Facility business plan and engage Stewart Brown Chartered Accountants to undertake the review, and:
2. Stewart Brown Chartered Accountants present the final report of the review of the McMaugh Gardens Aged Care Facility business plan to Council, and:
3. Council allocates funds from the Residential Aged Care budget \$38,500 (inclusive of GST) to fund the review and report preparation.
4. invite consultant to May Council Meeting

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey

**Against:** Nil

**CARRIED 9/0**

**17 CONCLUSION OF MEETING**

The meeting was closed at 8:10pm.

Council Minutes confirmed by **Mayor Robert Bell** 26 March 2024 : **Resolution 29.03/24**



CONFIRMED



## LGNSW Cost Shifting Report –

## How State Costs Eat Council Rates



CONFIRMED

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CONFIRMED



## 1 Executive Summary

Cost shifting remains one of the most significant challenges facing the NSW local government sector. As the peak organisation representing the interests of all 128 general purpose councils in NSW, as well as special purpose councils and related entities, Local Government NSW (LGNSW) regularly monitors the extent of cost shifting onto local government via its Cost Shifting Survey.

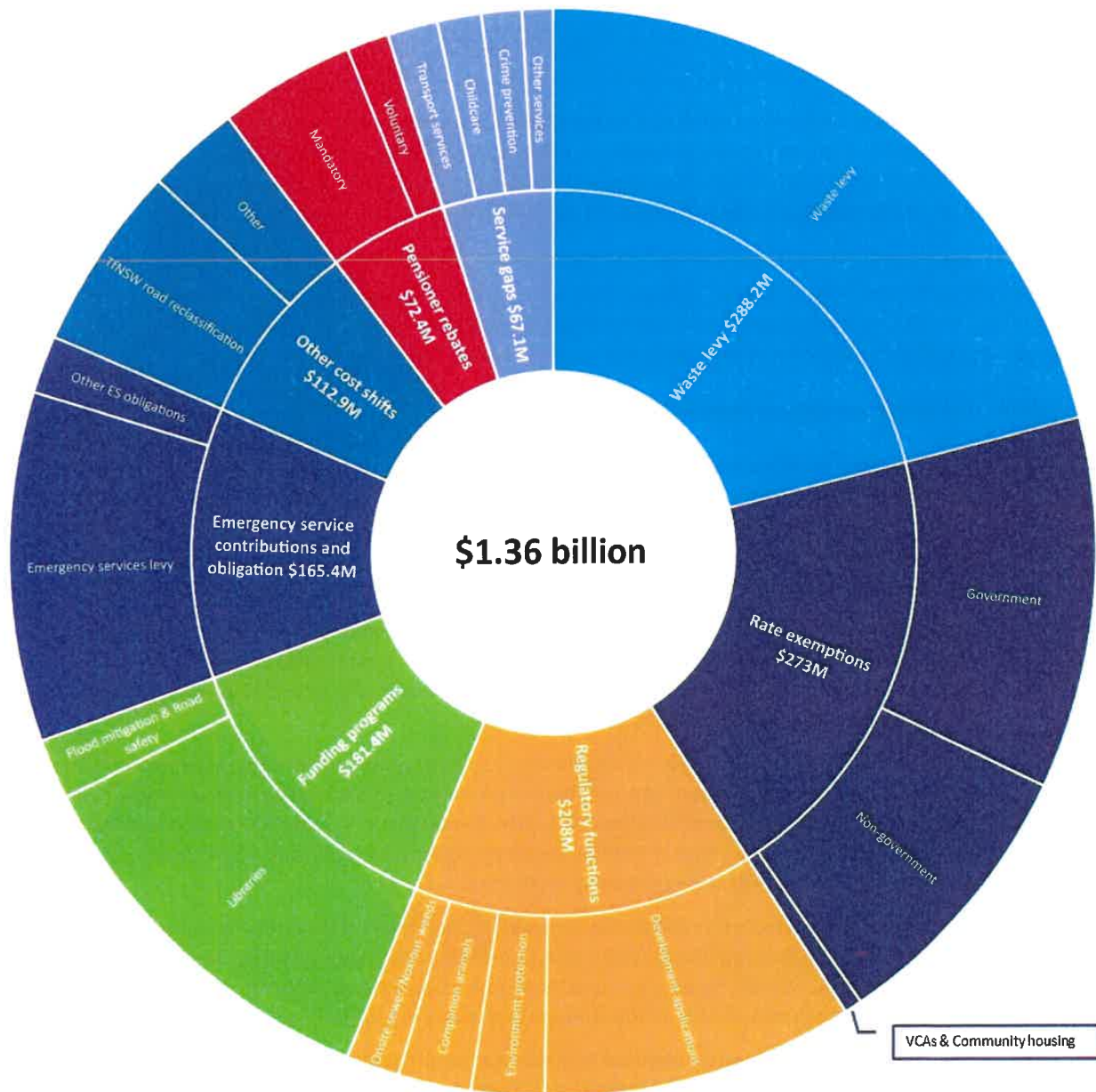
The 2021–22 Cost Shifting Survey has revealed that cost shifting totalled **\$1.36 billion** in 2021–22 (see figure on the next page), far exceeding historical records and representing an increase of \$540 million since the Cost Shifting Survey was last carried out in 2017–18. Alarmingly, the increase in cost shifting has been accelerated by various State Government policies, with the most significant examples of cost shifting in 2021–22 being:

- The **waste levy**, which remains the largest single contributor to cost shifting in NSW, totalling \$288.2 million, because the NSW Government did not fully reinvest the waste levy, paid by local councils, back into waste and circular economy infrastructure and programs.
- The **Emergency Services Levy** and associated **emergency service contributions**, which totalled \$165.4 million and represented the largest direct cost shift to local councils. In 2021–22, councils contributed \$142 million through the Emergency Services Levy, \$12.7 million through Rural Fire Service (RFS) obligations, and \$10.7 million in depreciation expenses on RFS assets.
- The NSW Government's failure to fully reimburse local councils for mandatory **pensioner rate rebates**, resulting in councils losing \$55.2 million.
- The NSW Government's failure to cover the originally committed 50 per cent of the cost of libraries operations, resulting in an additional \$156.7 million in costs to councils.

Local councils and their communities are facing unprecedented challenges. As they lead the recovery efforts from both the COVID pandemic and repeated natural disasters across much of NSW, local councils are also grappling with the same challenges affecting the State and Federal Governments, such as rising costs, increased economic uncertainty, and severe skills and labour shortages – all of which are impacting council budgets and affecting service and infrastructure delivery in local communities. The continual shifting of the obligations and costs for State and Federal functions and services onto local government coupled with a defective rate peg system, is only making the situation worse. In 2021-22, each ratepayer of NSW has approximately \$460.67 from councils' rates eaten by state government costs.



Figure 1 2021–22 cost shifting components







## 2 Background

### 2.1 What is cost shifting?

Cost shifting describes a situation where the responsibility for, or merely the costs of, providing a certain service, concession, asset, or regulatory function is imposed onto local government from a higher level of government (Commonwealth or State Government) without the provision of corresponding funding or the conferral of corresponding and adequate revenue raising capacity other than out of general rates.

As the council cannot raise or receive sufficient revenue to fund the imposed service concession asset or function, cost shifting forces councils to divert funding collected from ratepayers away from planned projects or services that the council has committed to the community to deliver in its Delivery Program.

In NSW, cost shifting has taken a number of forms including:

- **The Emergency Service contributions:** Councils are required to fund 11.7 per cent of the cost of Fire & Rescue NSW, Rural Fire Service (RFS) NSW and the NSW State Emergency Service (SES) through an Emergency Service Levy (ESL). 73.7 per cent of emergency services costs is funded through insurance premiums and the remaining 14.6 per cent from the NSW Government's treasuries. Councils provide additional financial contributions to emergency services agencies in addition to the ESL.
- **The waste levy:** The waste levy is not as much a cost shift to councils as an invisible tax levied on ratepayers through councils. The waste levy is a levy paid by all waste facilities to the NSW Government, the cost of this levy is recovered through the waste collection fees levied by councils, in effect shifting the burden of this tax on to ratepayers.
- **Forced rates exemptions:** Councils are required to exempt government and other organisations from paying rates in the local government area. These organisations utilise local government services and infrastructure. As they are exempt from paying rates, the burden of the costs they incur is shifted to the ratepayers to fund. Examples of exempt organisations include government departments, private schools, and non-government social housing providers.
- **Imposing additional regulatory functions:** State and Federal levels of government implement or increase regulatory requirements through legislation that is then administered by local government. The costs of this new or increased regulatory function is often not funded by the determining level of government and councils must fund this through their own revenue sources including rates.
- **Cutting or failing to adequately continue to fund programs for services that need to continue:** Many funding programs announced by State or Federal government are required to be delivered by local government but are either not fully funded from their initiation or, if an ongoing initiative, funding is reduced over time leaving councils with the decision to either continue the program and make up the burden of the cost or cease the program entirely. An example of this in Libraries, where the original commitment from State Government was to fund 50 per cent of libraries cost, it now covers approximately 8 per cent of the total costs, leaving councils to fund an additional \$156.7 million to make up the difference.



- **Pensioner rebates:** Councils are required to provide pensioner rebates on rates and other charges, for which the State government only subsidises 55 per cent of the cost, the remaining 45 per cent is funded by other ratepayers.
- **Councils absorbing the costs of service and market gaps that should have been provided by State or Federal governments:** This is particularly an issue in rural and regional NSW, where councils often must step in to provide or support a service that is traditionally delivered either directly or through subsidised private providers. This can be for a diverse range of services from aged, disability or childcare through to medical services, education, or public transport services.

## 2.2 Cost shifting and the rate peg

Cost shifting has been a term used for many years to describe the cost impact on local government of decisions made at the State and Federal level. It is particularly relevant in NSW where a rate pegging system is applied to restrict how local government can raise rates revenue.

The issue of State and Federal decisions having a direct financial impact on local government exists in all States and territories of Australia to some extent. In many cases, local government can be the best and most efficient partner for State and Federal government to deliver its programs or services.

Challenges arise with respect to how the State and Federal initiatives are, or continue to be, funded. In States where there is not a rate pegging system in place, local councils are able to better manage the financial impacts by adjusting rates or levying specific fees and charges to reflect the change in costs of providing the imposed service, concession, asset, or regulatory function.

The rate peg in NSW sets out the maximum amount that local councils can increase their rates by and is set by the Independent Pricing and Regulatory Tribunal (IPART) each year. In determining the rate peg, IPART does not adequately consider the cost shifting impacts on councils. As a result, increases in the costs shifted to councils identified here are not covered by a commensurate increase in rates revenue. This means that councils have to divert funding from other commitments agreed with their communities in their Community Strategic Plan and Delivery Program to fund the cost shift incurred. This has a direct impact on councils' ability to deliver services to the community and their overall financial sustainability.

## 2.3 This report

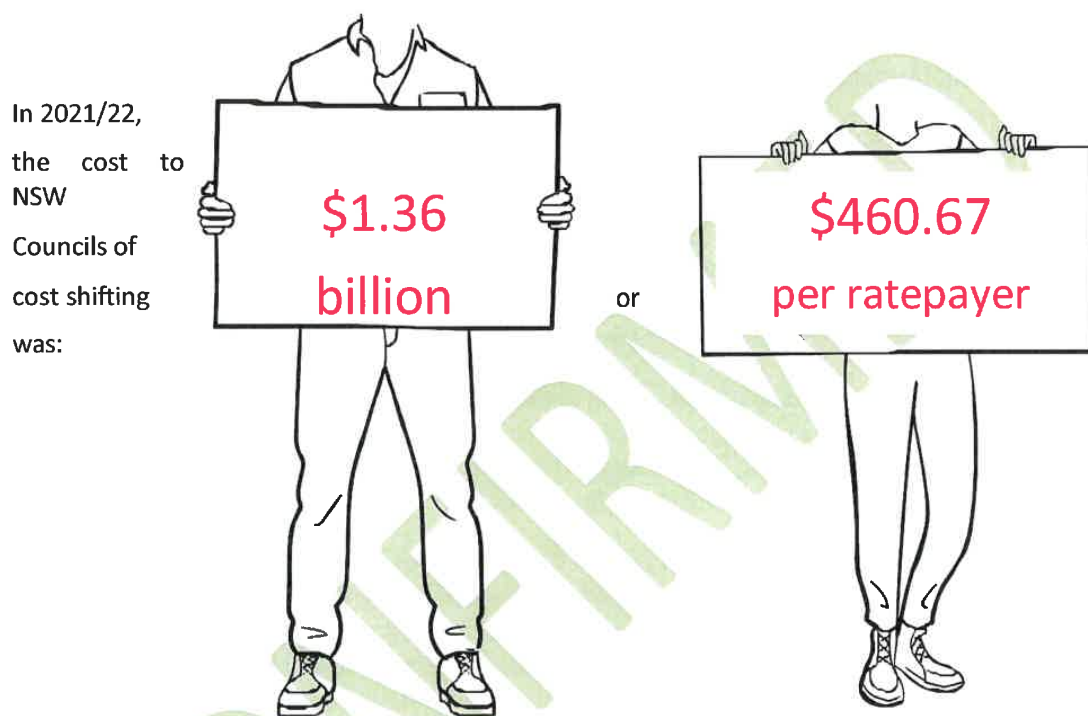
This report provides analysis and insights from the 2021–22 Cost Shifting Survey conducted in May 2023.

Section 3 of this report provides more detail on the findings from the survey, breaking down the findings into their key cost shifting areas, as identified in section 2.1 above, and Section 4 outlines the approach and methodology used in the survey and analysis..



### 3 Findings

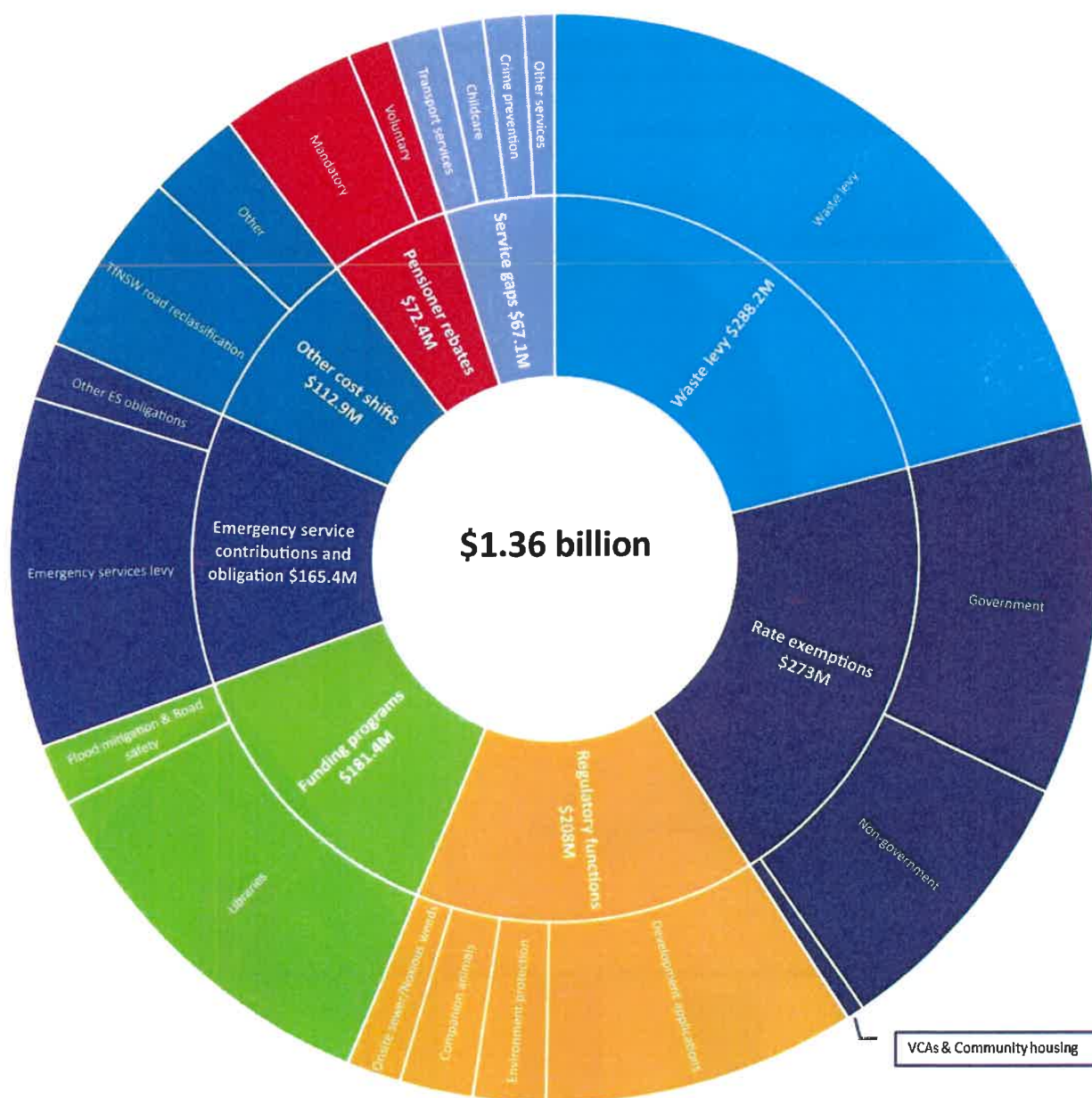
Our survey found that cost shifting cost NSW councils \$1.36 billion in 2021–22, which represents \$460.67 for each ratepayer. In effect, this is the average amount of rates that councils must divert from the services and infrastructure that council has committed to provide the community in order to fund the unrecoverable cost services, programs and functions that are imposed from the State or Federal governments.



Many services, programs, and functions that the State and Federal governments require local councils to deliver, in turn provide benefits to the local communities they serve. This report does not provide an assessment on the merit of these costs, only to bring them to light. Due to the nature of how the services, programs and functions are provided and funded, cost-shifting can be hidden from view. This analysis helps to quantify and highlight these costs for all tiers of government and the community.



Figure 2 2021–22 cost shifting components



The largest direct cost shift to councils is from emergency service contributions and other emergency service obligations, totalling \$165.4 million.

However, the cost of rate exemptions are higher still, representing a total of \$273.1 million of potential rates that are exempted and redistributed to other ratepayers to pay. An additional \$288.2 million in waste levies are passed onto the ratepayers through the waste collection fees in their rates bill. A further \$156.7 million

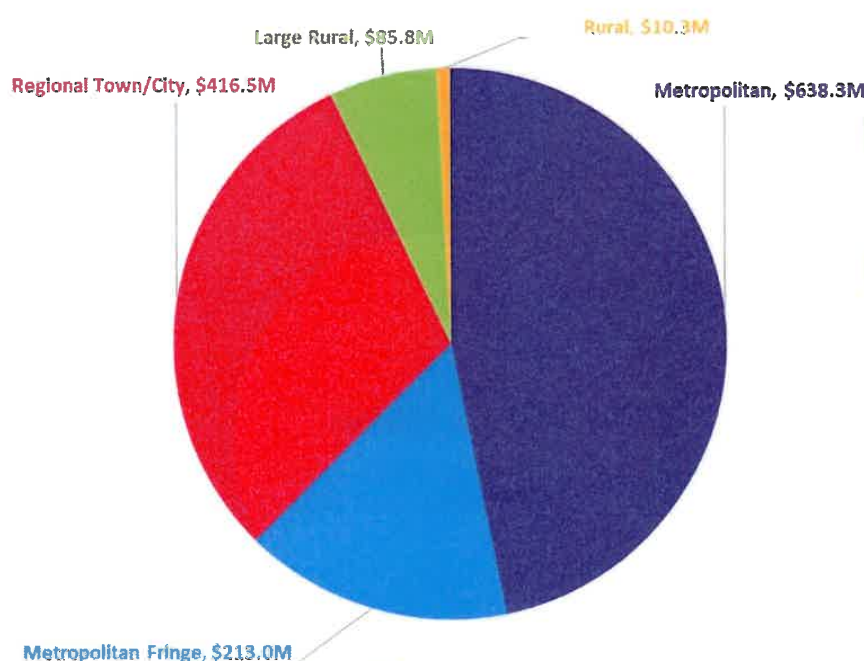




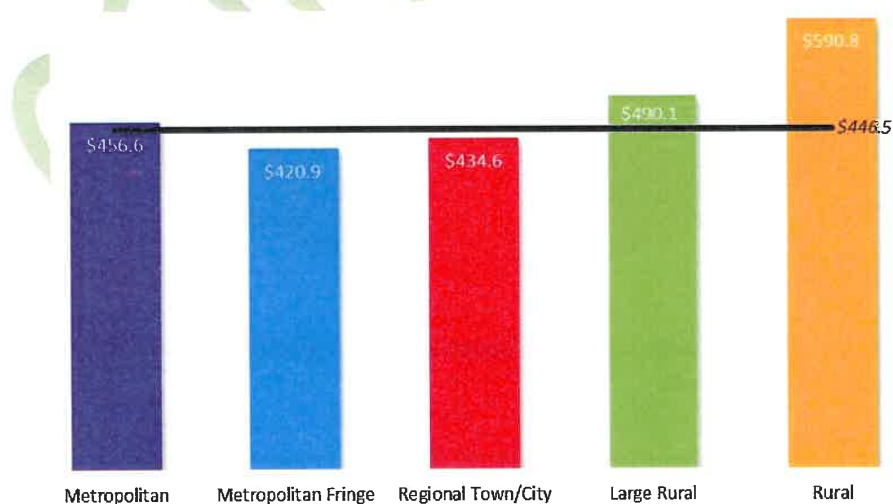
in costs for libraries has been covered by councils to make up the difference between the committed funding for councils' libraries and the subsidies received.

While in nominal terms the largest total cost shifts have been seen metropolitan councils, was on a per ratepayer basis rural and large rural councils have seen a greater impact, as the graphs below indicate.

**Figure 3 Total cost shift by council classification**



**Figure 4 Cost shift per ratepayer by council classification**





We will explore each component of rate shifting in the following sections.

### 3.1 Emergency service contributions and obligations

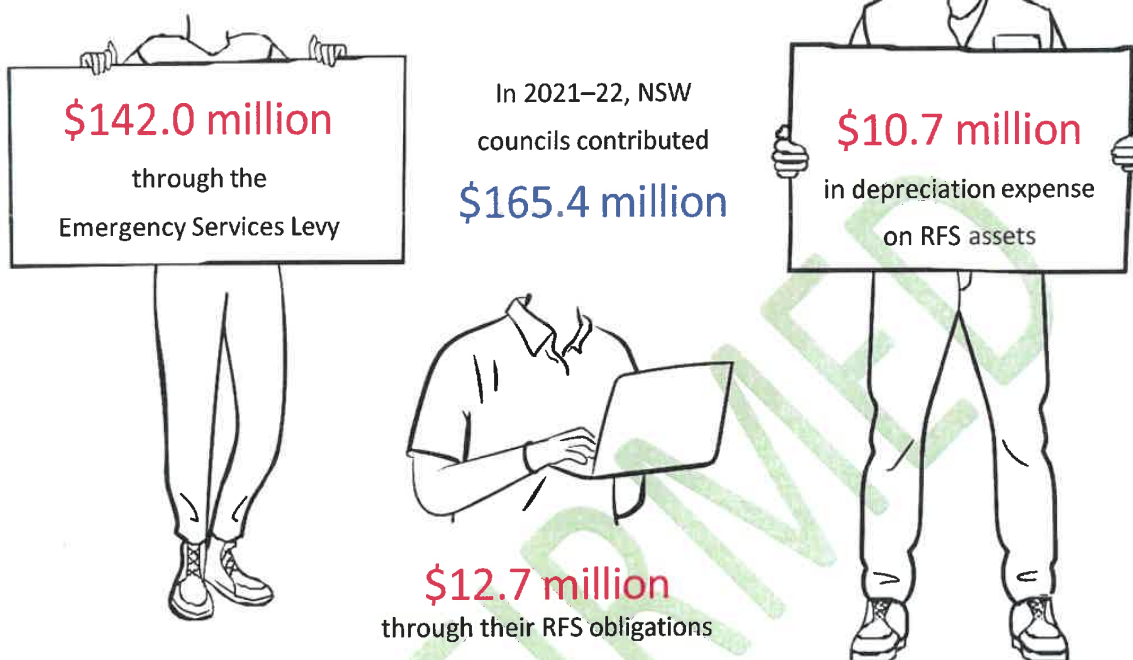




Figure 5 Emergency services contributions and obligations by council classification

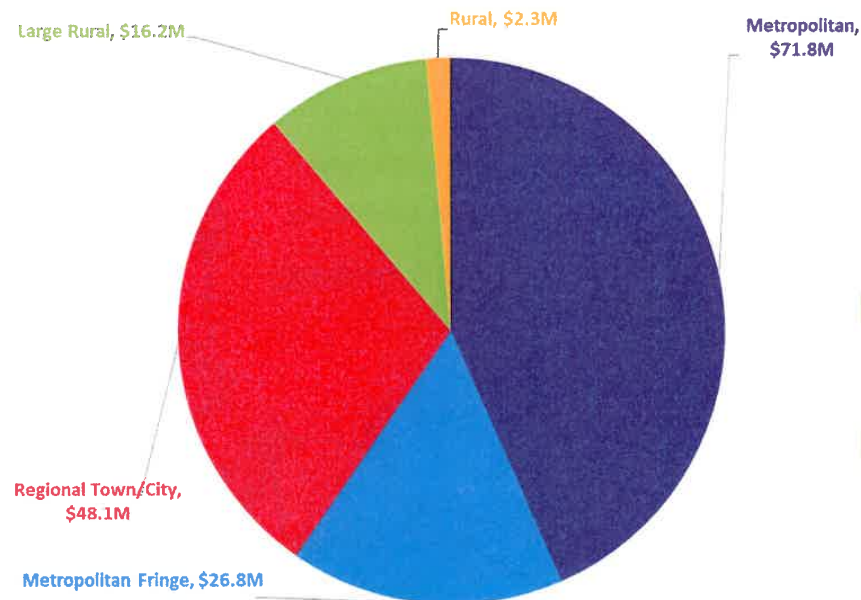
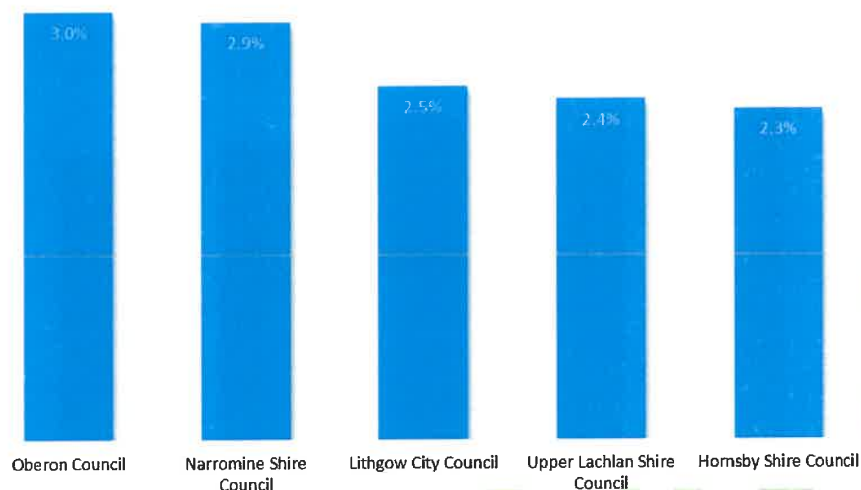


Figure 6 Respondent councils with the highest emergency services contributions and obligations burden





**Figure 7 Respondent councils with the highest emergency services contributions and obligations burden as a proportion of total operating expenditure**



NSW councils are required to fund 11.7 per cent of the NSW SES, NSW Fire and Rescue and NSW RFS budgets through a direct contribution levied each year by the State Revenue Office. This is funded directly from general revenue, primarily rates, as councils have no ability to raise revenue to fund this in any other way.

Councils also have no influence on the costs or budget setting of these organisations. This contribution of ratepayers' funds is in addition to the Emergency Services Insurance Contribution that is extracted through insurance companies, who cover 73.7 per cent of the agencies' budgets and results in higher insurance premiums for policy holders

The emergency service levy is estimated to have cost NSW councils overall \$142.0 million in 2021–22. That is a total of \$46.23 per ratepayer, which goes directly to the NSW Government as part of the emergency services contribution.



**Figure 8 Respondent metropolitan and fringe councils with the largest ESL bill for 2021–22**

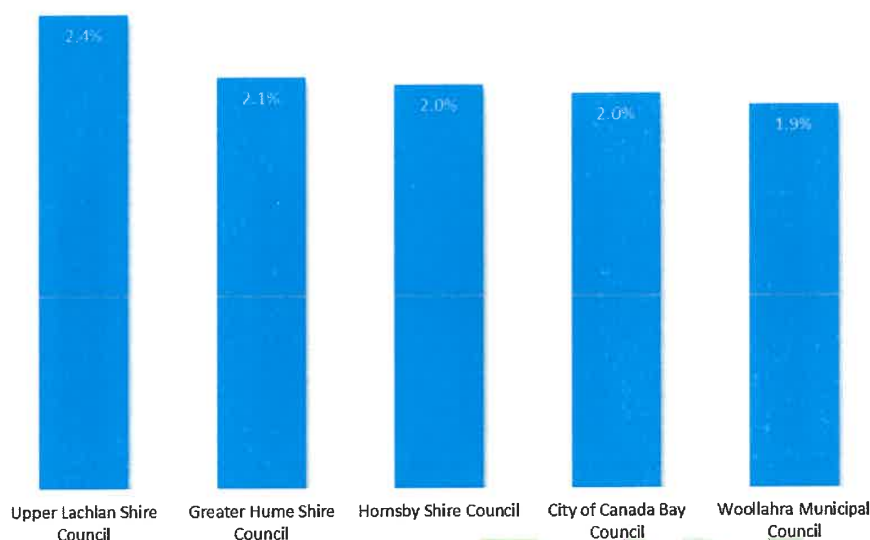


**Figure 9 Respondent regional and rural councils with the largest ESL bill for 2021–22**





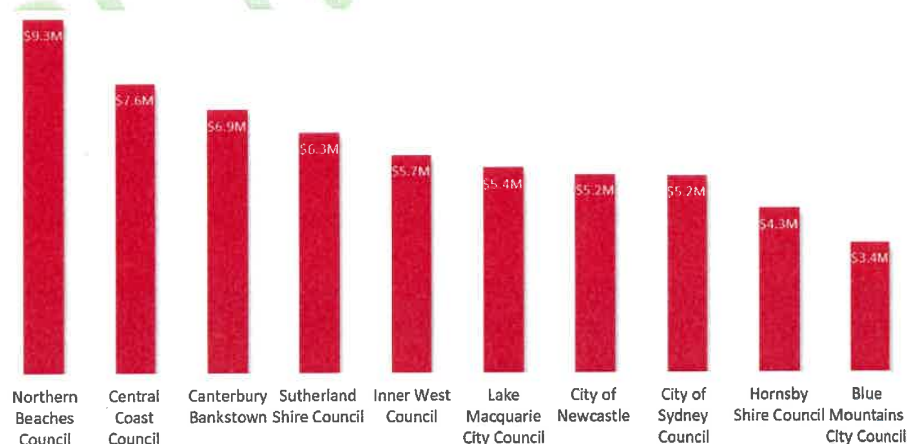
**Figure 10 Respondent councils with the largest ESL bill as a proportion of total operating expenditure**



In 2019, the NSW Government subsidised councils for the increase in Emergency Service Contribution costs, because of a large increase in the ESL resulting from large increase in workers compensation costs followed by the Black Summer Bushfires and the unfolding COVID pandemic. From the 2023–24 financial year, the NSW Government increased the budgets and therefore costs for the three relevant agencies and removed the subsidy at the same time. Councils were not advised of this change until after they had developed and put their 2023–24 budget on public exhibition as they are required to do. The increase represented a \$41.2 million cost increase from the prior 2022–23 financial year.

With the rate peg set at 3.7 per cent for the 2023–24 rating year, the increase in emergency services contributions has put substantial pressure on the financial sustainability of local government.

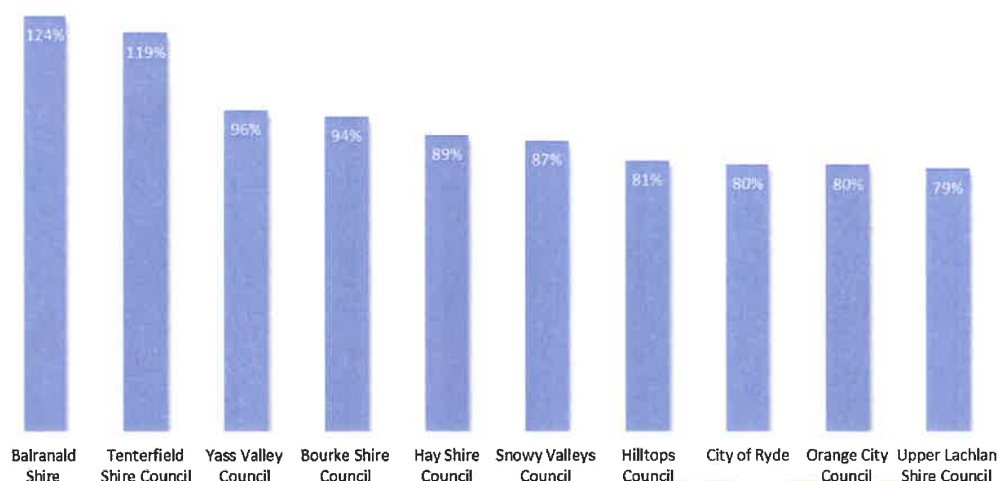
**Figure 11 Top 10 councils with the highest ESL bill in 2023–24**







**Figure 12 Top 10 councils with the highest 2023–24 ESL increase as a percentage of the rate revenue increase**



The increases in emergency services contributions from councils have hit both the largest and smallest of councils.

“Two of the four biggest expense payments that Central Coast Council must make each year are for State government levies: the emergency services levy and the waste levy. They are in the millions each and are funded straight out of our rates and waste revenue.”

**David Farmer, CEO, Central Coast Council**

“Central Darling Shire is the largest shire in NSW covering an area of 53,000 square kilometres in Far Western NSW, but it has the smallest (and declining) population of less than 2000. CDS is not a typical shire as it consists of a series of isolated communities (Menindee, Ivanhoe, Wilcannia and White Cliffs) and large pastoral holdings. It borders the large unincorporated area of the Far West.

For Council, the Emergency Services Levy has increased by \$70,000 for 2023/24, bringing the total Council contribution to \$318,989. The increase is some \$70,000 which is more than double the increase in rates due to rate pegging.

For the 2023/2024 financial year the Council income from rates is budgeted to be \$913,000. This includes the rate peg increase of 3.7 per cent, which looks like being eaten up by the hike in the ESL.

For a Council like Central Darling this level of increase is simply unsustainable and will result in the further reduction of services to our residents.

There is a clear case for the NSW Government to fully fund this increase as part of its community service obligation as small rural councils with a limited rate base cannot afford to continue to pay.”

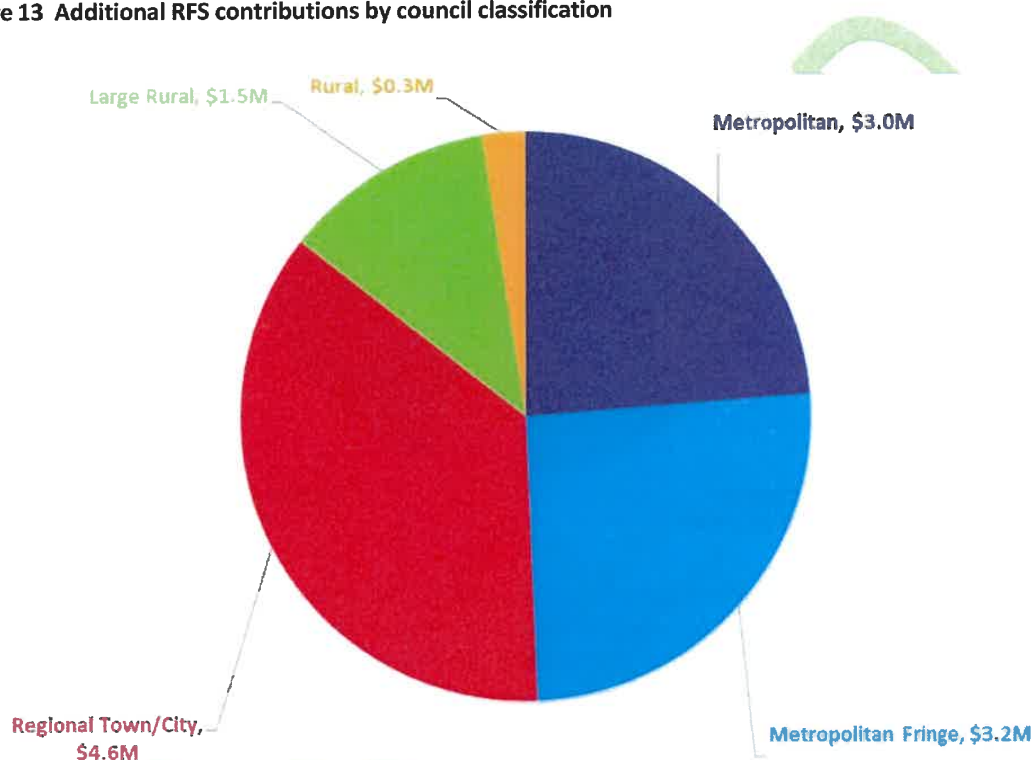
**Bob Stewart, Administrator, Central Darling Council<sup>1</sup>**

<sup>1</sup> Figure 11 does not include Central Darling's actual result as it was not provided to LGNSW.



In addition to the emergency service levy, local councils are required to support the RFS and SES in other ways. This commitment seems to be different for different Councils. For example, for some councils, when the RFS annual budget is allocated back to the districts, some of these funds are vested in councils through the Rural Fire Fighting Fund (RFFF). These funds are then administered by councils to deliver repairs and maintenance of buildings and a small amount of plant and equipment. In some cases, Councils also fund other functions such as training and provision of office supplies. If the RFFF is insufficient to provide these in any one year, some councils will then provide further financial support directly to the districts to meet the difference. In 2021–22, the cost of this additional support has been estimated at \$12.7 million.

**Figure 13 Additional RFS contributions by council classification**



The RFS funding arrangements are the most complex of all the emergency services and creates challenges for both councils and the RFS. While councils are aware that their obligations to provide financial support to the RFS are generally over and above the RFFF, the costs at a district level are extremely volatile from one year to the next and dependent on whether there is a bushfire in the district (in which instance the district will fund some aspects of other districts' costs if they come to support the local bushfire response) or if the district comes to the aid of another district (in which instance they will receive additional funding which reduces the pressure on its own budget and therefore the financial support required from the local council).

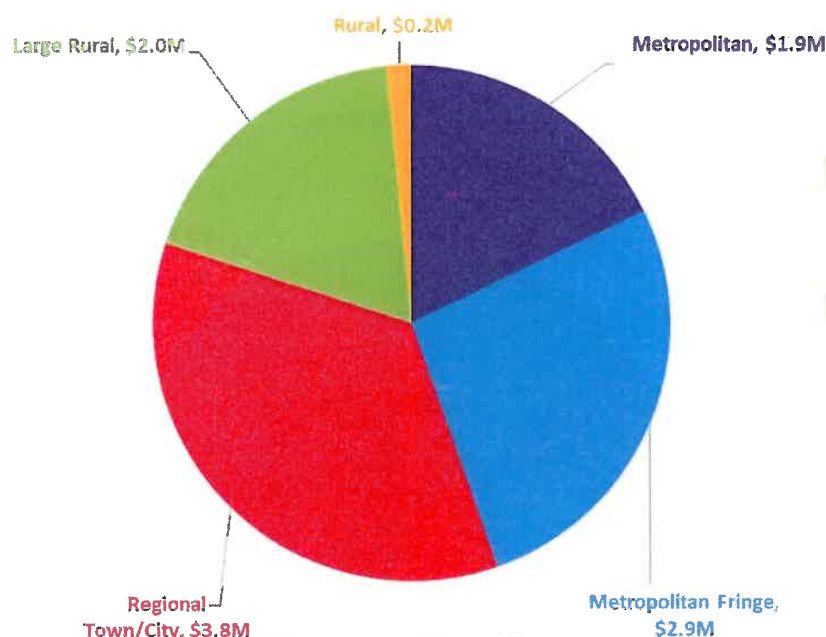
What results is that councils have to bear the budget risk of the volatility of RFS costs and funding, while RFS districts don't have accountability for their own budgets and costs, and are not able to help to provide certainty because they don't know where the next emergency will be. Much of these volatility issues are resolved at a State level, when looking at the RFS services overall.





In addition to the direct repair and maintenance costs, councils are also required to recognise RFS red fleet assets and account for their depreciation expense in council financial reports. In 2021–22, this depreciation cost is estimated at \$10.7 million.

**Figure 14 RFS Depreciation Expense by council classification**



This has been a somewhat contentious issue in recent years and ultimately comes down to identifying where control of these assets lie. In summary, the NSW Government has concluded under the *Rural Fire Services Act 1997*, which states that these assets are vested to councils and therefore “on balance, councils control this equipment” under the Australian Accounting Standards<sup>2</sup>. The NSW Audit Office has accepted this position in undertaking their audit function of local government.

Many councils, with the support of LGNSW, have refused to accept this position, which has resulted in 43 NSW councils receiving a qualified audit opinion of their 2021–22 financial reports. Their position is that control of these assets sits with the RFS, and therefore the NSW Government, based on the Australian Accounting Standards Board Conceptual Framework, which does not necessarily define control as a legal ownership right, but rather:

*“... the present ability to direct the use of the economic resource and obtain the economic benefits that may flow from it. Control includes the present ability to prevent other parties from directing the use of the economic resource and from obtaining the economic benefits that may flow from it. It*

*follows that, if one party controls an economic resource, no other party controls that resource.”<sup>3</sup>*

<sup>2</sup> Audit Office of New South Wales (2023) *Regulation and monitoring of local government*, NSW Government, 23 May 2023.

<sup>3</sup> Australian Accounting Standards Board (2022) *Conceptual Framework for Financial Reporting*, AASB, 7 April 2022.



This issue is ongoing, and while depreciation itself is not a cash expense, the accounting for depreciation in local government has two key financial implications. Firstly, the increase in depreciation expense will reduce a council's overall surplus or increase its deficit, which has implication for a council's measures of financial sustainability. Secondly, for most local government assets, depreciation is used as the estimate of required renewal expenditure for councils to maintain assets at their current condition. In other words, councils must fund depreciation with a similar level of capital cashflow to ensure assets are kept at required standards, this is not the case for firefighting equipment, which is funded through the State Government's budget allocation to the RFS. This remains an ongoing issue at the time of writing this report.

### 3.2 Waste levy

The waste levy is a tax on landfill facilities and only applies to 42 metropolitan and 19 regional levy areas shown in Figure 18. Although, not technically a "cost shift" – as the cost of the levy is recovered through waste charges – it represents a somewhat "invisible tax".

The purpose of the waste levy is to provide economic incentive to alternative waste management processes, such as recycling and resource recovery. The funds raised by the waste levy go directly to NSW Government general revenue. Some funds do come back to communities and councils through grants for a variety of projects, but this only represents 10 to 15 per cent of the funds raised through the tax.

The metropolitan levy at \$147.10 per tonne in 2021–22 is nearly twice the amount per tonne of the regional levy at \$84.70 per tonne in 2021–22. Some councils, such as Central Coast and Newcastle, operate their own landfill facilities and pay the levy directly to the NSW Government. Not all councils operate landfills directly, many councils have their waste managed through contracts with private providers. While these providers will incur the levy directly, councils in the levy areas will collect waste charges that include the waste levy as a component of the waste fees. Depending on how their waste management contracts are structured, some councils have been able to provide an estimate of this levy collected in the waste fees while others have not.

Of the 51 councils surveyed who are in the levy area, 36 provided an estimate of the amount paid, which totalled \$287.8 million in 2021–22. Based on this data, we have estimated the total amount of the waste levy paid through waste collection fees in 2021–22 at \$292.9 million.

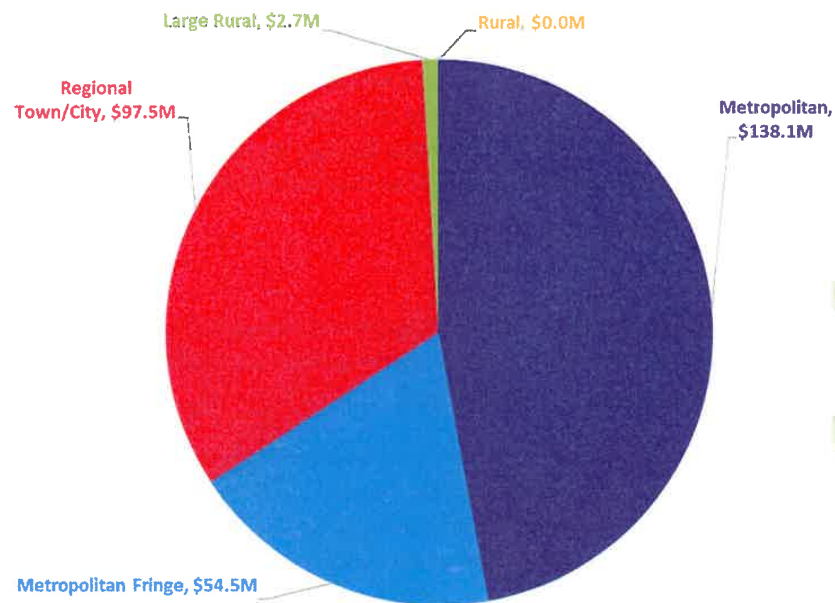
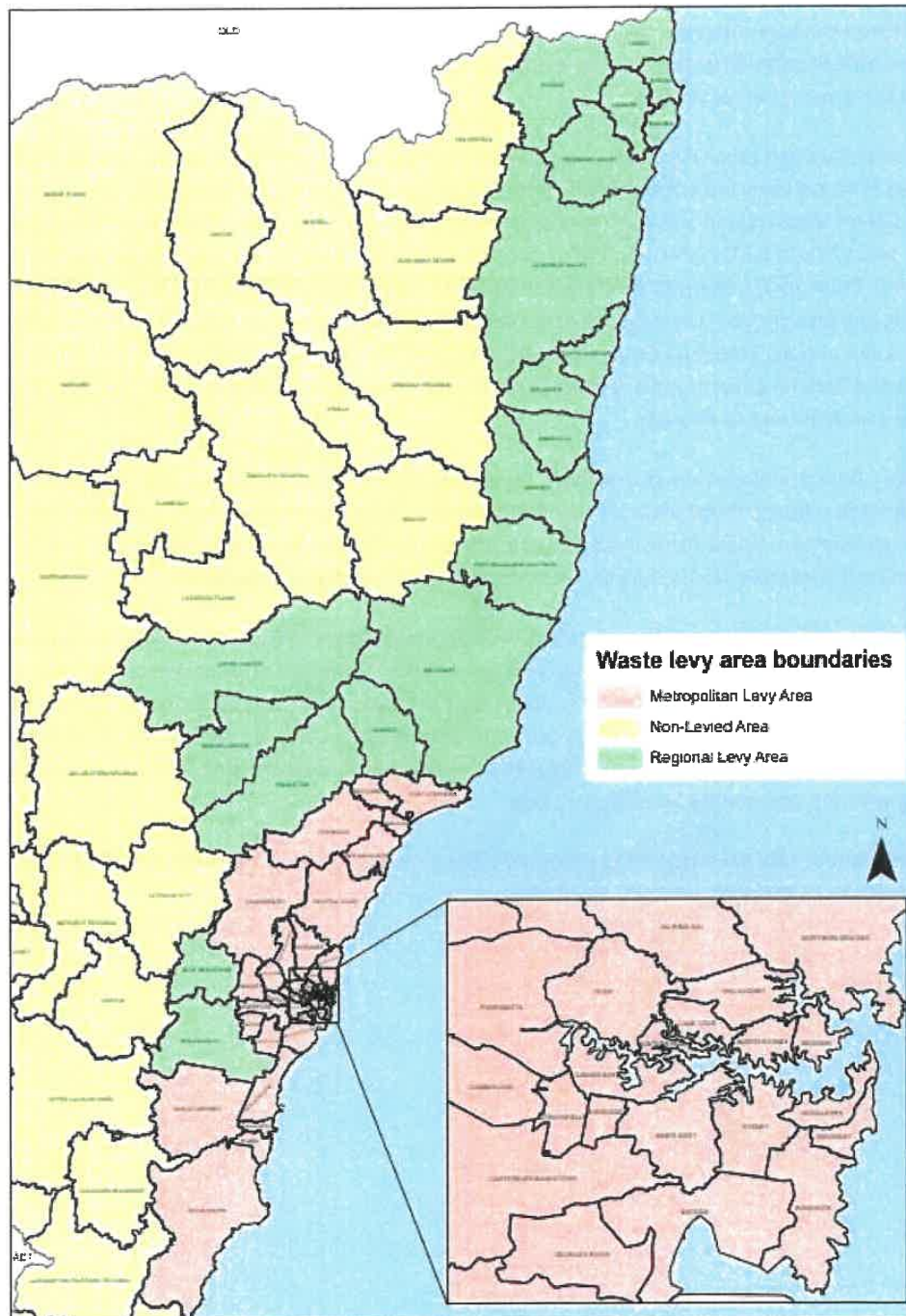
**Figure 15 Waste levy by council classification****Figure 16 Respondent councils with the highest waste levy**



Figure 17 Waste levy area map<sup>4</sup>



<sup>4</sup> <https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/wasteregulation/levy-area-map.pdf?la=en&hash=C00135E31055627BB8A41EAEB222864C2655B186>.





### 3.3 Rate exemptions

Many government and private property owners in a local government area are exempt from paying rates to councils. Due to the way rates are calculated, this doesn't usually affect the total amount of revenue that councils are able to raise through rates. It does mean that the distribution of the rates burden falls more heavily on the existing ratepayer base.

For government-owned properties, rate exemptions are a part of a complex set of arrangements for exemptions of some taxes between the different tiers of government. State Owned Corporations (SOCs and GTEs) pay tax on lands owned and used for commercial purposes. This is provided for under competitive neutrality policy/National Competition Policy (a notable exception to this arrangement is the Forestry Corporation). Councils are exempt from most State and Federal taxes (for example land tax, payroll tax, stamp duty, and income tax). Councils are also involved in delivering a wide range of services or regulatory functions under various State and Commonwealth Acts and they receive a large number of different grants from State and Federal governments, including the untied Financial Assistance Grants that the States administer and distribute to councils.

Additionally, there are many non-government organisations that are also exempt from paying rates, including private schools, hospitals and retirement villages, as well as not-for-profit organisations such as religious organisations. While these organisations are exempt from paying rates; all expect and receive services and infrastructure from councils, the cost of which is funded by ratepayers.

Community housing was an area that we asked councils about specifically as the NSW government has been in the process of transitioning the ownership and management of public and social housing to non-government Community Housing Providers. Under past practice, social and public housing provided by State Government agencies paid rate equivalents on all their properties. CHPs are exempt from rates and more and more social and public housing is moving into this category. As a result, the rates exempt status seems to be moving with the community housing property.

The total amount of rate exemptions represented \$273.1 million, shifting approximately \$89.04 to each NSW ratepayer.



Figure 18 Rate exemptions by category

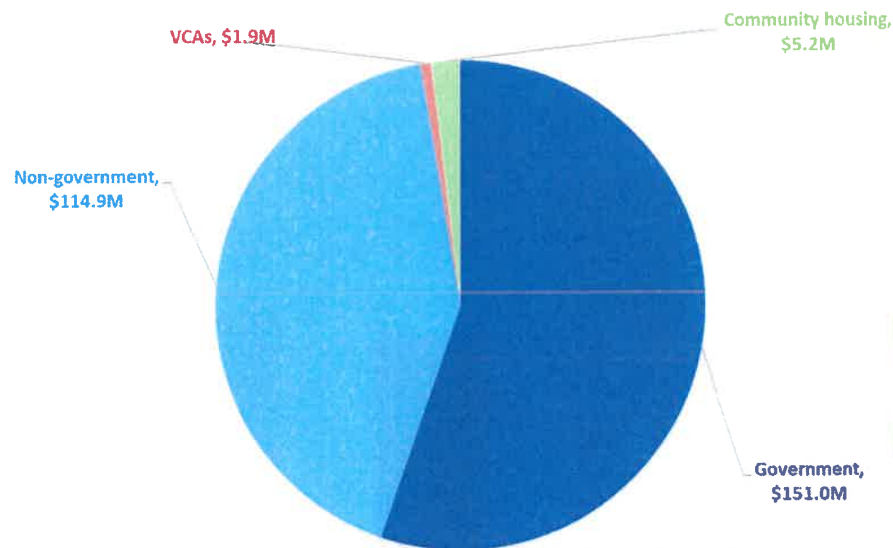
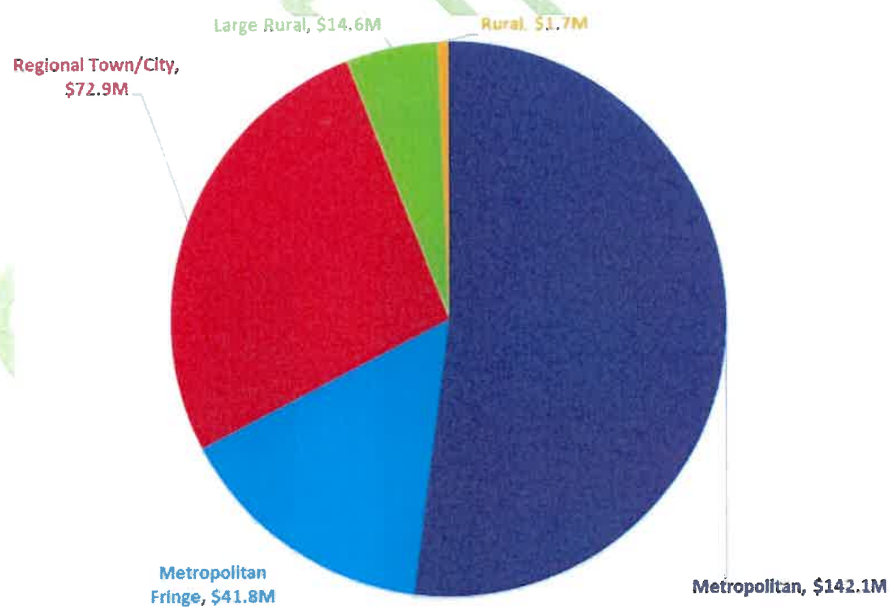
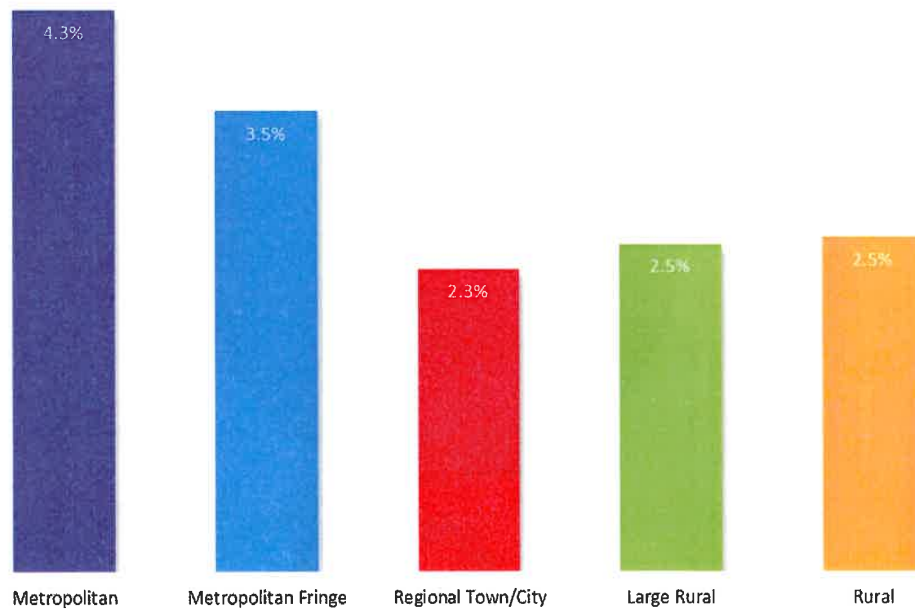


Figure 19 Rate exemptions by council classification





**Figure 20 Average rate exemption for respondent councils as a proportion of rates revenue by council classification**



**Figure 21 Respondent councils with the highest rate exemptions as a proportion of rates revenue**







Table 1 Cost for rate exemptions

| Rate exemption                           | Number of councils who responded to this question in the survey with a figure | Total amount of cost shift provided | Estimated total cost shift for all NSW Councils (based on population) |
|--|---|-------------------------------------|---|
| <b>Government-owned property</b>         | 62 (from which two councils put a figure of 0)                                | \$95.5M                             | \$151M  |
| <b>Non-government-owned property</b>     | 61 (from which one council put a figure of 0)                                 | \$72M                               | \$115M  |
| <b>Voluntary conservation agreements</b> | 47 (from which ten councils put a figure of 0)                                | \$1.2M                              | \$1.9M  |
| <b>Community housing</b>                 | 53 (from which 11 councils put a figure of 0)                                 | \$3.3M                              | \$5.2M  |

### 3.4 Regulatory functions

In addition to the obligations under the *Rural Fire Services Act 1997*, *Fire and Rescue NSW Act 1989* and the *State Emergency Service Act 1989*, councils incur additional costs of increased regulatory responsibilities. These are additional functions or requirements that are not fully funded by increases in fees and charges.

In 2021–22, the unfunded costs for regulatory functions represented \$208.0 million.

Figure 22 Unfunded regulatory costs by category

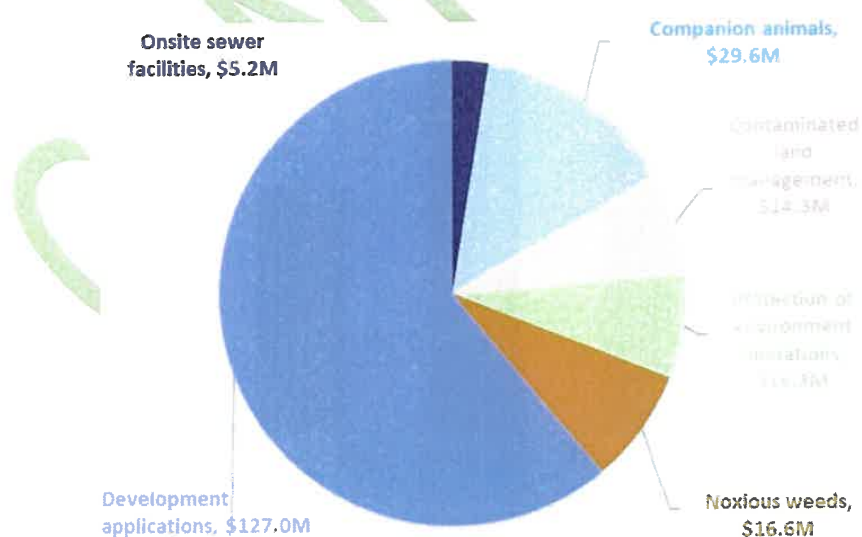




Figure 23 Unfunded regulatory costs by council classification

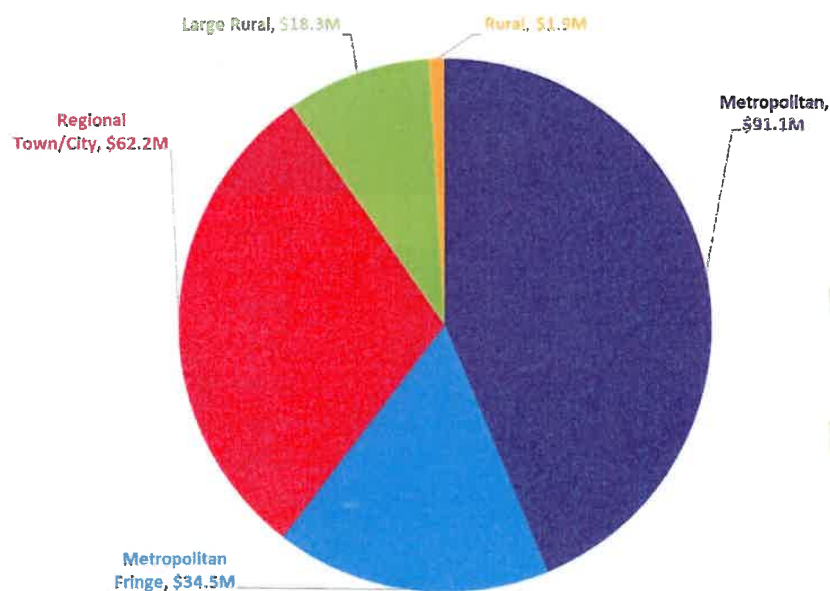
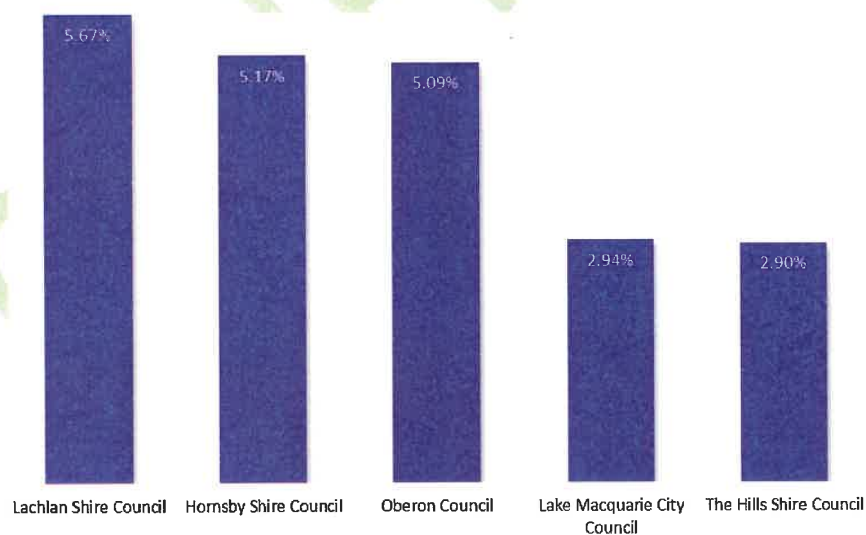


Figure 24 Respondent councils with the largest regulatory cost as a proportion of total operating expenditure



The function and total estimated costs from councils are outlined in the table below.

**Table 2 Cost for increased regulatory functions that cannot be recovered through fees and charges**

| Regulatory function                  | Number of councils who responded to this question in the survey with a figure | Total amount of cost shift provided | Estimated total cost shift for all NSW Councils (based on population) |
|--------------------------------------|---|-------------------------------------|---|
| Onsite sewer facilities              | 35 (from which 15 councils put a figure of 0)                                 | \$3.4M                              | \$5.2M  |
| Companion animals                    | 69 (from which four councils put a figure of 0)                               | \$19.6M                             | \$29.6M   |
| Contaminated land management         | 45 (from which nine councils put a figure of 0)                               | \$7.2M                              | \$14.3M   |
| Protection of environment operations | 48 (from which four councils put a figure of 0 and one a negative amount)     | \$9.9M                              | \$15.3M   |
| Noxious weeds                        | 64 (from which eight councils put a figure of 0)                              | \$11.1M                             | \$16.6M   |
| Development applications             | 64 (from which five councils put a figure of 0 and one a negative amount)     | \$86.7M                             | \$127.0M  |

### 3.5 Funding programs

Councils are occasionally required to fund the continuation of several funding programs that were instigated by the NSW Government, but for which funding commitments have, over time, either been reduced or removed entirely. The three main funding programs councils currently continue to fund are:

- Library subsidies: the original library funding subsidy was 50 per cent of the library services costs, however this has reduced over time. In 2021–22, councils paid an estimated \$156.7 million on library services that would have been covered by the originally committed 50 per cent State government subsidy.
- Flood mitigation: the program was originally established with the State and Federal governments providing 80 per cent of the costs and councils funding 20 per cent, the shortfall of this funding is estimated to be costing councils \$18.2 million in 2021–22.
- Road safety program: funding for programs and ongoing staff for education, however councils were not able to reduce the costs with the removal of the funding program. In 2021–22, councils have an estimated cost burden of \$6.4 million as result.

The total cost to council to continue to meet the funding shortfall of these programs was \$181.3 million, the vast majority which was the shortfall in the library subsidy of \$156.7 million.



Figure 25 Funding program costs shifted by category

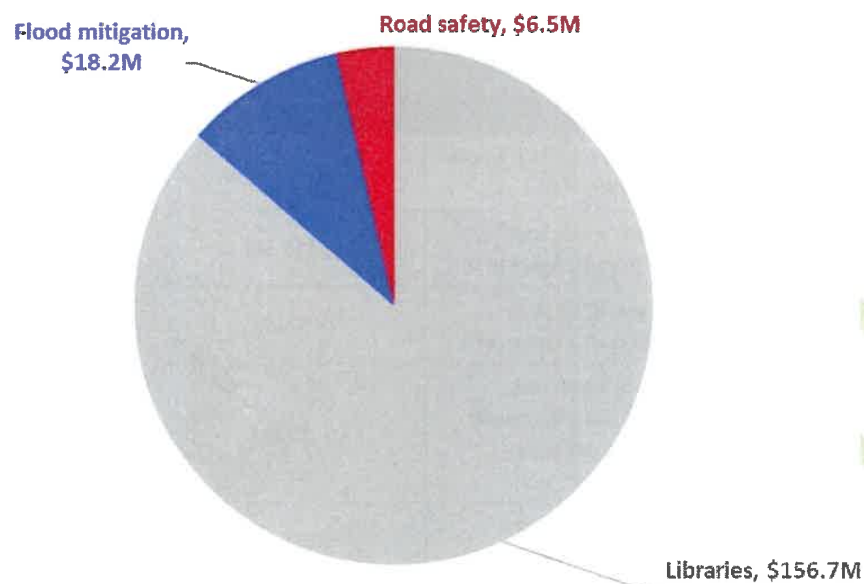
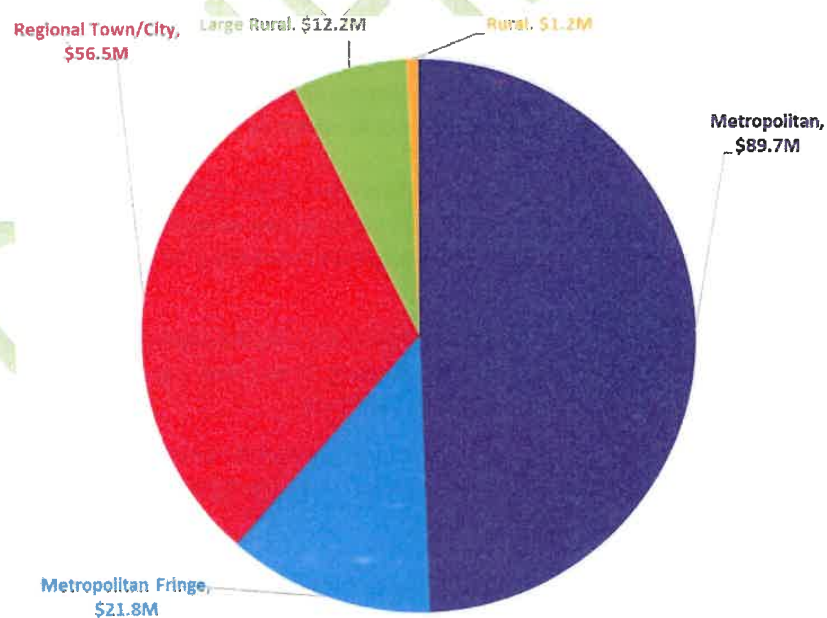
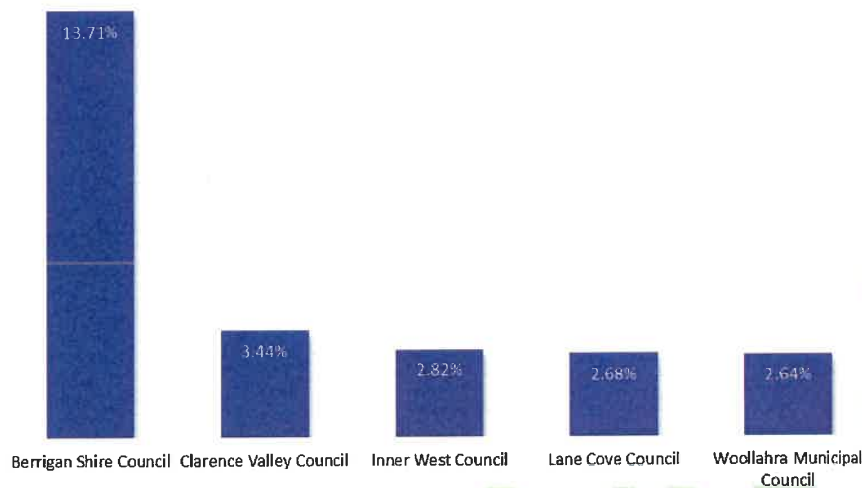


Figure 26 Funding program costs shifted by council classification





**Figure 27 Respondent councils with the largest funding program costs shifted as a proportion of total operating expenditure**



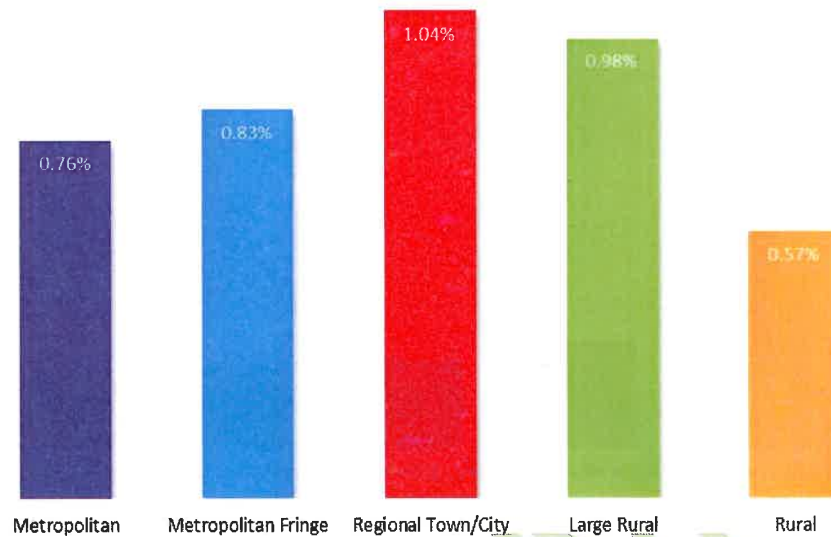
### 3.6 Pensioner rebates

Councils are required to provide rates rebates to pensioners, which are partially subsidised by the NSW Government. This mandatory pensioner rebate is an estimated net cost to councils of \$55.2 million. This does not include the cost of administering the mandatory pensioner rebates, as each pensioner claim needs to be registered and their details checked by the council.

The level of mandatory rebate has not risen substantially over many years, and therefore has not kept pace with inflation. As a result, many councils have elected to apply further voluntary rebates to ease the financial burden on pensioners. NSW councils incur an additional \$17.2 million in voluntary pensioner rebates. The total cost of pensioner rebates is estimated to be \$72.4 million.



Figure 28 Average total pensioner rebates as a proportion of total rates revenue by council classification



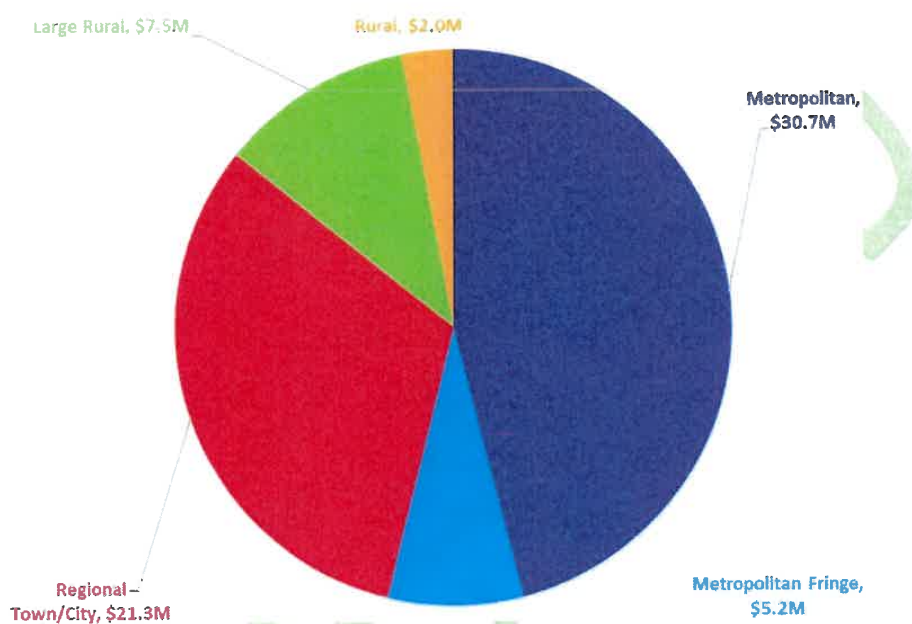




### 3.7 Service gaps

This section captures costs incurred by councils in providing services as a result of insufficient service provision by another level of government or a market failure of a subsidised or privatised public service. In 2021–22, it is estimated that councils spent \$66.6 million on filling these gaps.

**Figure 29 Service gap costs by council classification**



**Figure 30 Respondent councils with the highest service gap cost as a proportion of total operating expenditure**







The estimated costs are set out in Table 3, below.

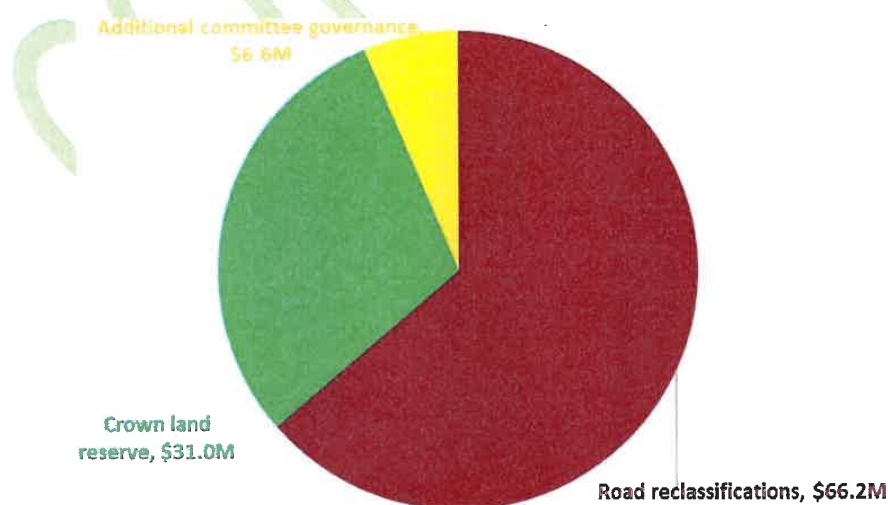
**Table 3 Cost for services provided by Council as a result of a State or Federal service gap or market failure**

| Regulatory function                    | Number of councils who responded to this question in the survey with a figure    | Total amount of cost shift provided | Estimated total cost shift for all NSW Councils (based on population) |
|--|--|-------------------------------------|---|
| Immigration and citizenship ceremonies | 60 (from which ten councils put a figure of 0)                                   | \$1.1M                              | \$1.6M  |
| Crime prevention and policing          | 51 (from which 11 councils put a figure of 0)                                    | \$10.2M                             | \$16.2M   |
| Medical services                       | 33 (from which 15 councils put a figure of 0)                                    | \$2.2M                              | \$3.2M  |
| Aged care services                     | 36 (from which 19 councils put a figure of 0)                                    | \$3.9M                              | \$5.6M  |
| Disability care services               | 28 (from which 17 councils put a figure of 0)                                    | \$1.4M                              | \$2.2M  |
| Childcare services                     | 49 (from which 19 councils put a figure of 0 and two councils a negative figure) | \$12.0M                             | \$17.8M   |
| Transport services                     | 37 (from which 20 councils put a figure of 0)                                    | \$14.1M                             | \$20.5M   |

### 3.8 Other cost shifts

A number of other areas for cost shifting were identified and gathered in the survey and are outlined here.

**Figure 31 Other cost shifts by category**





Under the Transport for NSW (formerly RMS) road reclassification program in the 1990s, many roads were reclassified as local or regional road for councils to own and maintain. Of the 68 councils that responded to the survey, 32 were able to estimate the cost of this reclassification, 12 were not able to reliably estimate, and 24 stated that it was not applicable. The total estimate of costs provided by councils was \$26.7 million in 2021–22.

Under the Crown Lands Act 1989, councils have full responsibility to maintain crown reserves under council management and are expected to subsidise shortfalls in maintenance cost from general revenue. This is considered appropriate as the benefits from crown reserves under council management generally accrue to the local community. However, as a result, councils should also be entitled to any current or potential revenue from crown reserves that is required to cover maintenance and improvement cost (e.g., revenue from refreshment facilities, telecommunication facilities). The NSW Government will on occasion take over allowable revenue raising activities on council managed crown reserve land (not including national parks) or will require councils to transfer revenue from council managed crown reserve land to the State Government.

Of the 68 councils surveyed, 22 estimated the lost revenue at \$14.8 million in 2021–22. A further 27 councils were not able to reliably estimate the costs and 19 councils advised that this item didn't apply to them. This estimate does not represent the total net cost of managing (maintaining) crown lands. Nor does it include in transfers associated with the caravan park levy. Only any action by the State Government to limit revenue raising capacity or require the transfer revenue to the State Government has been considered cost shifting.

### 3.9 Future survey considerations

We asked councils what other areas that should be considered for future surveys. The key areas that respondents identified as costs to be captured in future surveys included:

- Monopoly services costs:
  - NSW Audit Office being the monopoly on local government external audits.
  - NSW Electoral Commission holding a near monopoly on council election administration.
- Cost of Joint Regional Planning Panels (JRPPs) requirement to access councils DAs as per mandated policy.
- Costs of mandatory On-Line Planning Portal – Implementation and ongoing operational costs.
- The Sydney Regional Development Fund Levy.
- Costs associated with Forestry NSW and impact of logging on council owned infrastructure. Rates foregone on State Forest land.
- Capturing the additional cost of Emergency Services administration staff.
- Heritage advisor costs, whilst there is some grant funding towards this it still needs to be administered by council who hand out the grant funds and do general administration.
- Cost involved in Special Variations applications given that councils have to undertake this process to recover costs shifted. This is a lengthy and resource intensive process, which is particularly challenging for smaller councils.
- Net cost of Street Lighting (Less subsidy from Transport for NSW).



- Cost of ongoing maintenance associated with the Community Water Bore program from early 2000s (the program was in conjunction with NSW Office of Water).
- Cost of management of overabundant native species doing damage to infrastructure. This is a NSW government function which is not being undertaken by the State and therefore some councils are doing it.
- Crown Land right to native title compensation (falling to Councils instead of the State).
- Any costs imposed by Service NSW (e.g., disability parking).
- Costs of sharing of facilities especially with Department of Education (schools, parks, playgrounds etc).
- Costs of maintaining State facilities that are located on Crown land.
- Provision of stormwater trunk drainage.

These additional items will need to be validated in terms of the details of what is entailed and whether they are indeed cost shifts before inclusion in any future survey.

We also recommend that some items in the current survey be considered for exclusion in future survey on the basis that they are onerous for councils to quantify and do not materially contribute to the total estimated cost shift for councils, nor are they expected to increase over time. The following items should be reviewed for exclusion:

- Road safety program (Q7) – (0.5% of total cost shift estimate).
- Onsite sewer facilities (Q10) – (0.4% of total cost shift estimate).
- Immigration and citizenship services (Q16) – (0.1% of total cost shift estimate).
- Waste management license fee (Q29) – (0.03% of total cost shift estimate).



## 4 About the survey

This section outlines the methodology employed to develop and administer the 2021–22 cost shifting survey.

### 4.1 Development of the survey

The last cost shifting survey of NSW councils was undertaken with 2015–16 financial data. We have used this last survey as the starting point for the 2021–22 Cost Shifting Survey questions. We undertook a review of the previous questionnaire guided by the following guiding principles:

- Ensure that questions are still relevant.
- Where possible maintain questions so that there can be direct year on year comparisons if required.
- Ensure that interpretation of questions is understood and consistent across all councils.
- Identify new areas of cost shifting where required.

An initial review of questions was undertaken by the project team, consisting of Morrison Low and LG NSW staff. We also established a working group that included representatives of senior leaders and financial staff of a cross section of rural, regional, and metropolitan councils. The working group undertook a review of the questions and provided their feedback through a facilitated workshop and feedback gathering tool. We also asked two leading local government academics to provide their feedback through email and one on one meetings on the questionnaire and our approach to understanding cost shifting in local government.

### 4.2 Conducting the survey

The final survey was provided in a Microsoft Excel format to councils on 17 April 2023 along with a request of councils' 2021–22 Financial Data Return (FDR), which contained council's audited financial Statement information. The FDR was used to gather a small amount of cost shifting information, but predominantly for data validation purposes.

### 4.3 Responses to the survey

Councils were asked to return their survey responses and FDRs by 8 May 2023. Some councils requested extensions to this date, which were granted up to 19 May 2023. A total of 75 out of 128 councils provided completed surveys (a 58.6% response rate), although not all answers were completed by all responding councils. Only 72 councils provided their FDRs, as three councils were still finalising their 2021–22 financial Statements at the time of survey completion date.

### 4.4 Data validation and analysis

Data validation included review of outliers both in total terms as well as a proportion of the council's proportion of total operating expenditure. Where possible, we also compared survey responses with councils FDR data returns to understand if there may have been discrepancies or misinterpretations of questions. This

## ORDINARY COUNCIL MEETING MINUTES

27 FEBRUARY 2024

required us to seek further information and validation with some councils on their responses to some questions.

We also utilised State Government financial reports for the Emergency Services agencies to validate to estimate of the ESL against the contributions that these agencies reported in their financial Statements.

For most questions, we have used population as the basis for estimating the total cost shift to all NSW councils for the survey data received. For some we were able to directly estimate through published reports. For example, we used the State Library's 2021–22 report on local council libraries with included operating costs and subsidies received. For other questions, such as the waste levy, where it is not relevant to all councils and there are different levels of the levy between metropolitan and regional councils, we used populations within the relevant and group councils as a basis for estimating the total cost of the waste levy.

CONFIRMED



## ORDINARY COUNCIL MEETING MINUTES

27 FEBRUARY 2024

| MEETING DATE          | ITEM NO. | SUBJECT                                 | MOTION  | COMMENTS   |
|-----------------------|----------|---|---|--|
| Council<br>19/12/2023 | 14.5     | Rationalisation of Waste Services Areas | <p><b>RESOLUTION 11.12/23</b></p> <p><b>Moved: Cr Leanne Doran</b><br/> <b>Seconded: Cr Tara Toomey</b></p> <p><b>That Council:</b></p> <p>1) <b>Endorses the proposed waste service areas for consultation with community effective from 1<sup>st</sup> July 2024 for Bundarra, Invergowrie, Uralla, and Kentucky as follows:</b></p> <ul style="list-style-type: none"> <li>☐ <b>Bundarra – All existing routes (as per Attachment 1) plus an additional route comprising the Bundarra stretch of the Thunderbolts Way.</b></li> <li>☐ <b>Invergowrie - All existing routes (as per Attachment 2) plus the additional routes comprising the Bundarra Road (the USC section of Bundarra Road and Thunderbolts Way); the remaining part of Thunderbolts Way; the entire Hawthorn Drive; and the entire Rocky River Road.</b></li> <li>☐ <b>Uralla - All existing routes (as per Attachment 3) plus the additional routes comprising of Rifle Range Road; Flat Rock Road; Castle Drive; and the entirety of Kliendienst Road.</b></li> <li>☐ <b>Kentucky - All existing routes as per Attachment 4 with no further changes.</b></li> </ul> <p>2) <b>Undertakes a comprehensive community engagement program in early 2024 to ensure residents are fully informed prior to the implementation date.</b></p> <p>3) <b>Supplies all future red lid waste bins to new customers directly to ensure and control the quality and uniformity of kerbside collection bins, and to existing customers as damaged or failed bins are identified by</b></p> | <p><b>27 Feb 2024</b></p> <p>1. All landholders/ratepayers in the new service areas have been identified.,</p> <p>2. Properties with residential facilities or structures to be identified from farm lands,</p> <p>3. Rate payers who are located in existing service areas but opted out of the service have been identified and will be contacted.,</p> <p>4. Yet to finalise the communication strategy to use to maximize gains., Letters to be sent to affected residents and 2 community meetings to be held (one in Uralla at the Council Chambers and the other at Bundarra in the Town Hall).</p> |

ORDINARY COUNCIL MEETING MINUTES

27 FEBRUARY 2024

|                       |      |                                     |   |
|-----------------------|------|-------------------------------------|---|
|                       |      |                                     | staff, with the cost to be incorporated into the waste service charge.  |
|                       |      |                                     | 4) Receives a further report on completion of community engagement.   |
| Council<br>19/12/2023 | 14.6 | Draft Policy for Liquid Trade Waste | <p><b>RESOLUTION 14.12/23</b></p> <p><b>Moved:</b> Deputy Mayor Robert Crouch<br/><b>Seconded:</b> Cr Tom O'Connor</p> <p>That the report on the Draft Liquid Trade Waste Policy be deferred to the February 2024 Ordinary meeting.</p> <p><b>For:</b> Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey.</p> <p><b>Against:</b> Nil</p> <p>CARRIED 9/0</p> |
|                       |      |                                     |   |



**7.2 Confirmation of Minutes held 7 March 2024 Extraordinary Meeting**

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**Department:** General Manager's Office**Prepared By:** Executive Assistant**Authorised By:** General Manager**Reference:** UINT/24/4271**Attachments:** 1. Minutes 7 March 2024 Extraordinary Meeting [↓](#) **RECOMMENDATION**

That Council adopts the minutes of the Ordinary Meeting held 7 March Extraordinary Meeting 27 February 2024 as a true and correct record.



## **MINUTES** of Confidential Meeting

### **EXTRAORDINARY COUNCIL MEETING**

**Held on 7 March 2024 at 5:08pm**

#### **Attendance at Meeting:**

**Councillors:** Mayor R Bell (Chair)  
Deputy Mayor R Crouch  
Cr T Bower  
Cr S Burrows  
Cr L Doran  
Cr McMullen  
Cr T O'Connor  
Cr L Petrov

**Apologies:** Cr T Toomey

**Staff:** Ms Averay, General Manager  
Mr S Williams, Interim Director Corporate & Community  
MR M Raby, Director Infrastructure & Development  
Ms W Westbrook, Executive Assistant

## EXTRAORDINARY COUNCIL MEETING MINUTES

7 MARCH 2024

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## AUDIO OF MEETING AVAILABLE HERE:

<https://urallashirecouncil.podbean.com/e/7th-match-2024-extraordinary-meeting-of-uralla-shire-council/>

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EXTRAORDINARY COUNCIL MEETING MINUTES

7 MARCH 2024

**1 OPENING & WELCOME**

The Chair declared the meeting opened at 5:08pm.

**2 PRAYER**

The Chair recited the Uralla Shire Council prayer.

**3 ACKNOWLEDGEMENT OF COUNTRY**

The Chair read the acknowledgement of country.

**4 WEBCAST INFORMATION**

The Chair advised the confidential meeting was recorded, with only open session resolutions to be placed on Council's Website.

**5 APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS****APOLOGY****RESOLUTION 01.03/24**

Moved: Cr Sarah Burrows

Seconded: Cr Lone Petrov

That the apology received from Cr Toomey be accepted and leave of absence granted.

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor and Lone Petrov

**Against:** Nil

**Absent:** Crs Tara Toomey

**CARRIED 8/0****6 DISCLOSURE & DECLARATION OF INTEREST/S**

NIL

## EXTRAORDINARY COUNCIL MEETING MINUTES

7 MARCH 2024

## 7 PURPOSE OF EXTRAORDINARY MEETING



## REQUEST FOR EXTRAORDINARY COUNCIL MEETING

s366 of the Local Government Act

## CONFIDENTIAL CLOSED MEETING

|                        |  |
|------------------------|--|
| Section under the Act  | The grounds on which part of the Council or Committee may be closed to the public are listed in Section 10A(2) of the Local Government Act 1993.               |
| Sub-clause and Reason: | e - information that would, if disclosed, confer a commercial advantage on a competitor with whom the Council is conducting (or proposes to conduct) business. |

REASON FOR EXTRAORDINARY MEETING for 7<sup>th</sup> March at 5.00pm:

1. Consideration to New England Weeds Authority (NEWA) request for partial Security Guarantee from Uralla Shire Council.

## REQUESTED BY:

| Councillor Name                     | Councillor Signature | Dated        |
|-------------------------------------|----------------------|--------------|
| Cr Tim Bower –<br>Delegate for NEWA |                      | 1 March 2024 |

| Councillor Name   | Councillor Signature | Dated        |
|-------------------|----------------------|--------------|
| Mayor Robert Bell |                      | 1 March 2024 |

## 8 LATE REPORTS/SUPPLEMENTARY/URGENT ITEMS (INCLUDING PETITIONS)

The Chair advised late report was received:

- L.1 Thunderbolt Wind Farm Proposed Planning Agreement.

## PROCEDURAL MOTION

## RESOLUTION 02.03/24

Moved: Cr Sarah Burrows

Seconded: Deputy Mayor Robert Crouch

THAT Council consider report L.1 Thunderbolt Wind Farm Proposed Planning Agreement on the basis that the matter is considered to be of great urgency requiring a decision by the Council before the next scheduled ordinary meeting.

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor and Lone Petrov

**Against:** Nil

**Absent:** Crs Tara Toomey

CARRIED 8/0

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EXTRAORDINARY COUNCIL MEETING MINUTES

7 MARCH 2024

## PROCEDURAL MOTION

## RESOLUTION 03.03/24

Moved: Cr Sarah Burrows

Seconded: Cr Lone Petrov

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the *Local Government Act 1993*:

## 9.1 NOTICE OF MOTION - New England Weeds Authority Request for Security Guarantee; and

## L.1 Thunderbolt Wind Farm Proposed Planning Agreement

This matters are considered to be confidential under Section 10A(2) - d(i) of the *Local Government Act 1993*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

For: Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor and Lone Petrov

Against: Nil

Absent: Crs Tara Toomey

CARRIED 8/0

## 9 COMMUNICATION OF COUNCIL DECISIONS

## 9.1 NOTICE OF MOTION - NEW ENGLAND WEEDS AUTHORITY REQUEST FOR SECURITY GUARANTEE

## RESOLUTION 04.03/24

Moved: Cr Tim Bower

Seconded: Mayor Robert Bell

That Council:

1. Authorises the provision of a guarantee as security for loan funding to the New England Weeds Authority;
2. Approves the amount of the guarantee to be \$119,843, calculated in proportion to USC's member contribution of the coming financial year, relative to the total member contributions of all four (4) constituent councils being Glen Innes Severn, Armidale Regional, Uralla Shire and Walcha Councils;
3. Agrees that the guarantee amount be increased to \$144,599 in the event that one member council is unable to provide the guarantee within the required time frame, and no other security is available; and
4. Authorises the General Manager to execute the loan security documents provided by the Commonwealth Bank.



## EXTRAORDINARY COUNCIL MEETING MINUTES

7 MARCH 2024

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor and Lone Petrov

**Against:** Nil

**Absent:** Crs Tara Toomey

CARRIED 8/0

**L.1 THUNDERBOLT WIND FARM PROPOSED PLANNING AGREEMENT****RESOLUTION 05.03/24**

**Moved:** Deputy Mayor Robert Crouch

**Seconded:** Cr Sarah Burrows

**That Council**

1. Notes the revised letter of offer to Uralla Shire Council from Neoen energy regarding the Thunderbolt Wind Farm proposed community benefit agreement.
2. Resolves that the agreement should be progressed annually as per the revised letter of offer from Neoen Energy dated 6<sup>th</sup> March 2024;
3. Authorises the Mayor and GM to continue negotiations with the proponent to finalise the proposed draft planning agreement.
4. Notes that the draft planning agreement will be reported to a future Council meeting prior to public exhibition.

**For:** Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Bruce McMullen, Tom O'Connor, Leanne Doran and Lone Petrov

**Against:** Nil

**Absent:** Cr Tara Toomey

CARRIED 8/0

**10 CONCLUSION OF MEETING**

The meeting was closed at 6:07pm.

Council Minutes confirmed by **Mayor Robert Bell** 26 March 2024 : **Resolution 30.03/24**



## **8 URGENT, SUPPLEMENTARY, AND LATE ITEMS OF BUSINESS (INCLUDING PETITIONS)**

### **8.1 Operational Plan 2023-24 Q2 Progress Report (Late Covering Report)**

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|                       |   |
|-----------------------|---|
| <b>Department:</b>    | <b>Corporate &amp; Community</b>                  |
| <b>Prepared By:</b>   | <b>Executive Support Officer</b>                  |
| <b>Authorised By:</b> | <b>Interim Director Corporate &amp; Community</b> |

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This report will be distributed to elected members and published on Council's website under separate cover.

## 9 WRITTEN REPORTS FROM DELEGATES

### 9.1 Rural Fire Service and Council District Liaison Committee

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**Department:** General Manager's Office

**Prepared By:** Deputy Mayor

**Authorised By:** General Manager

**Reference:** UINT/24/3235

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#### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

**Goal:** 3. We are good custodians of our environment

**Strategy:** 3.1. To preserve, protect and renew our beautiful natural environment

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#### SUMMARY

Rural Fire Service [RFS] and Councils District Liaison Committee held a meeting on 29 February 2024.

#### RECOMMENDATION

That Council receives the delegate report on Rural Fire Service [RFS] and Council's District Liaison Committee from the meeting held 29 February 2024.

#### REPORT

On 29 February the GM and I attended the RFS and Council's District Liaison Committee. This was the first of these meetings I attended in this term of council. I understand the General Manager (or nominee) and a council representative endorsed by council from Walcha, Armidale Regional and Uralla Councils along with Senior RFS representatives make up the committee and that the Committee meets twice per year. Until this meeting I was not advised by Council when we received an invitation to the meetings.

Paul Metcalfe, Superintendent, provided the meeting with a briefing on:

- Funding and the need for councils to get invoices onto the RFS in a timely manner. Where councils are slow to invoice it is difficult for RFS to adequately account for funding and keep records up to date. Uralla Council is currently becoming more engaged in servicing trucks.
- Business Plan. RFS activities are driven by the Business Plan. Current focus is:
  - Capability
  - Community risk
  - Our people our culture

Assistance from Councils to encourage volunteers would be appreciated.

- Infrastructure-Fleet, capital works:
  - Bergen Station
  - Other projects, particularly Station modifications

- Solar installations to reduce electricity bills. There are some stations where the RFS is paying for electricity that is being used by the public that probably should be a council expense. We also need to sort out public toilet maintenance at some stations
- Bushfire season update, including:
  - Degree of activity
  - Appliances
  - Hazard reduction Burns
  - Permits issued

In General business the meeting briefly discussed transfer of assets from councils to RFS.

**CONCLUSION**

This report provides Council with advice on the recent RFS District Liaison Committee meeting held on 29 February 2024.

## 9.2 Mayors Delegate Report - February 2024 Activity

|                       |                                 |
|-----------------------|---------------------------------|
| <b>Department:</b>    | <b>General Manager's Office</b> |
| <b>Prepared By:</b>   | <b>Mayor</b>                    |
| <b>Authorised By:</b> | <b>Mayor</b>                    |
| <b>Reference:</b>     | UINT/24/4478                    |

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

|                  |      |   |
|------------------|------|---|
| <b>Goal:</b>     | 4.   | We are an independent shire and well-governed community |
| <b>Strategy:</b> | 4.1. | Informed and collaborative leadership in our community  |

**SUMMARY**

Mayor's Delegate Report outlining activities conducted during the month of February 2024.

**RECOMMENDATION**

That Council received the Mayor's Delegate Report for February 2024.

**REPORT**

| <b>Mayor: Robert Bell</b>                     |  |                 |
|---|--|-----------------|
| <b>Date of Council Meeting: 26 March 2024</b> |  |                 |
| <b>DATE</b>                                   | <b>COMMITTEE/MEETING/EVENT</b>   | <b>LOCATION</b> |
| 2 Feb 2024                                    | Meeting – Resident   | Uralla          |
| 5 Feb 2024                                    | Mayor & GM Catch Meeting   | Uralla          |
| 6 Feb 2024                                    | Long Service Award Presentation  | Uralla          |
| 6 Feb 2024                                    | AMC AUKUS Forum  | Online          |
| 6 Feb 2024                                    | Councillor Workshop  | Uralla          |
| 7 Feb 2024                                    | TWA Think Tank – Action Plan   | Armidale        |
| 8 Feb 2024                                    | Meeting Winterbourne Wind Farm   | Online          |
| 9 Feb 2024                                    | Long Service Award Presentation  | Uralla          |
| 12 Feb 2024                                   | Mayor & GM Catch Meeting   | Uralla          |
| 13 Feb 2024                                   | New England Renewable Energy Zone (REZ) transmission project   | Online          |
| 13 Feb 2024                                   | Councillor Workshop <ol style="list-style-type: none"> <li>1. Uralla Update on decommissioning of 3G network and impact on mobile services in rural area – presenter Ian George Telstra</li> <li>2. Cr Doran's Notice of Motion - proposed referendum regarding election of Mayor</li> <li>3. Kingstown transfer station &amp; Village Maintenance matter</li> </ol> | Uralla          |

|   |   |            |
|---|---|------------|
|   | 4. Discussion and Cr feedback on Foodworks proposal   |            |
| 19 Feb 2024   | Mayor & GM Catch Meeting  | Uralla     |
| 20 Feb 2024   | NEWA Meeting  | Uralla     |
| 20 Feb 2024   | Councillor Workshop <ol style="list-style-type: none"> <li>1. StateCover Mutual Update - Presentation by Martin Townsend and Ryan Dick</li> <li>2. Workshop discussion 'Options for managing community benefit payments through VPAs for REZ developments'</li> </ol> | Uralla     |
| 21 Feb 2024   | Long Service Award Presentation   | Uralla     |
| 22 Feb 2024   | Prime TV Interview  | Uralla     |
| 22 Feb 2024   | Origin-Essential Energy Update on Outage  | Uralla     |
| 26 Feb 2024   | Mayor & GM Catch Meeting  | Uralla     |
| 27 Feb 2024   | Council Meeting   | Uralla     |
| 28 Feb 2024   | Local Traffic Committee meeting   | Uralla     |
| 29 Feb 2024   | Meeting with Adam Marshall Local Member   | Uralla     |
| <b>2023 Expenses Claims to date for Councillors</b> |   | <b>\$0</b> |



9.3 New England Weeds Authority - Verbal Update

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|                |                          |
|----------------|--------------------------|
| Department:    | General Manager’s Office |
| Prepared By:   | Councillor               |
| Authorised By: | Councillor               |
| Reference:     | UINT/24/4479             |

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LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

|           |      |   |
|-----------|------|---|
| Goal:     | 4.   | We are an independent shire and well-governed community |
| Strategy: | 4.1. | Informed and collaborative leadership in our community  |

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SUMMARY

The delegate will provide a verbal report.

RECOMMENDATION

That Council notes the verbal update given.

**10 PUBLIC FORUM**

Nil

**11 MAYORAL MINUTE**



Nil

**12 NOTICE OF MOTION/QUESTIONS WITH NOTICE**

Nil

## 13 REPORT OF COMMITTEES

### 13.1 Uralla Local Traffic Committee (ULTC) - Minutes of meeting held 28 February 2024

|                       |  |
|-----------------------|--|
| <b>Department:</b>    | Infrastructure & Development   |
| <b>Prepared By:</b>   | Executive Support Officer Infrastructure & Development   |
| <b>Authorised By:</b> | Executive Director Infrastructure & Development  |
| <b>Reference:</b>     | UINT/24/3395   |
| <b>Attachments:</b>   | <ol style="list-style-type: none"> <li>1. Agenda - Uralla Local Traffic Committee (ULTC) Meeting - 28 February 2024 <a href="#">↓</a> </li> <li>2. Minutes - Uralla Local Traffic Committee Meeting - 28 February 2024 <a href="#">↓</a> </li> </ol> |

#### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

|                  |   |
|------------------|---|
| <b>Goal:</b>     | <ol style="list-style-type: none"> <li>1. We have an accessible inclusive and sustainable community</li> <li>2. We drive the economy to support prosperity</li> <li>4. We are an independent shire and well-governed community</li> </ol>   |
| <b>Strategy:</b> | <ol style="list-style-type: none"> <li>1.2. A safe, active and healthy shire</li> <li>2.3. Communities that are well serviced with essential infrastructure</li> <li>4.1. Informed and collaborative leadership in our community</li> <li>4.2. A strategic, accountable and representative Council</li> </ol> |

#### SUMMARY

The agenda and minutes of the Uralla Local Traffic Committee (ULTC) meeting held on 28 February 2024 are attached for the information of Councillors. Staff have reviewed the action items, as approved by the Committee, and advise that all items can be addressed within currently voted and available resources.

#### RECOMMENDATION

That Council receives the Minutes of the Uralla Local Traffic Committee (ULTC) meeting held 28 February 2024 and notes the decisions of the Committee.

#### REPORT

The Uralla Local Traffic Committee (ULTC) Meeting was held on 28 February 2024.

The Committee made the following decisions regarding items put before them by Council:

#### 5.1 REQUEST FOR SPEED LIMIT REDUCTION ON ARDING ROAD, NORTHEYS ROAD AND HAWTHORNE DRIVE URALLA

That the Uralla Local Traffic Committee:

1. Note the request from Arding Land Care Group relating to Arding Road, Northeys Road and Hawthorne Drive.
2. That the suggested 80 km/h speed zone along sections of these roads not be supported.

3. That Council review warning signposting along these roads with a priority to intersection signage including Give Way and Tee Junction or Cross Road warning signs.

**5.2 REQUEST FROM URALLA BOWLING CLUB FOR DESIGNATED BUS ZONE, REMOVAL OF TAXI ZONE AND A DROP OFF ZONE**

That the Uralla Local Traffic Committee:

1. Note the request from Uralla Bowling Club to amend parking at the front of the club.
2. That Council staff prepare a plan of proposed parking amendments considering the requested changes and correctional signage along the Hill Street frontage of the Club.

**5.3 URALLA ARTS - LANTERN PARADE - ROAD CLOSURE - 23 MARCH 2024**

1. That the Uralla Local Traffic Committee agree to the proposed road closure in King Street subject to no objection to the event being raised by NSW Police.

**CONCLUSION**

Director Infrastructure and Development confirms that any actions recommended by the Committee are supported by officers and can be undertaken within existing resources.



## **URALLA LOCAL TRAFFIC COMMITTEE**

### **AGENDA & BUSINESS PAPERS**

**28 February 2024**

Commencing at 10:00am

URALLA LOCAL TRAFFIC COMMITTEE BUSINESS AGENDA

28 FEBRUARY 2024

AGENDA

1 OPENING & WELCOME .....3

2 APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS/ COMMITTEE MEMBERS .....3

3 CONFIRMATION OF MINUTES.....3

4 LATE REPORT/S .....3

5 REPORTS TO COMMITTEE .....4

5.1 Request for Speed Limit Reduction on Arding Road, Northeys Road and Hawthorne Drive URALLA .....4

5.2 Request from Uralla Bowling Club for Designated Bus Zone, Removal of Taxi Zone and a Drop Off Zone .....12

5.3 Uralla Arts - Lantern Parade - Road Closure - 23 March 2024.....18

6 CONCLUSION OF MEETING .....20



**URALLA LOCAL TRAFFIC COMMITTEE BUSINESS AGENDA**

**28 FEBRUARY 2024**

---

- 1 OPENING & WELCOME**
- 2 APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS/  
COMMITTEE MEMBERS**
- 3 CONFIRMATION OF MINUTES**  
  
Uralla Local Traffic Committee held on 12 December 2023
- 4 LATE REPORT/S**

## URALLA LOCAL TRAFFIC COMMITTEE BUSINESS AGENDA

28 FEBRUARY 2024

**5 REPORTS TO COMMITTEE****5.1 Request for Speed Limit Reduction on Arding Road, Northeys Road and Hawthorne Drive URALLA**

|   |   |
|---|---|
| <b>Department:</b>  | <b>Infrastructure &amp; Development</b>   |
| <b>Prepared By:</b>   | <b>Manager Civil Infrastructure</b>   |
| <b>Authorised By:</b>   | <b>Executive Director Infrastructure &amp; Development</b>  |
| <b>Reference:</b>   | UINT/23/18275   |
| <b>Attachments:</b>   | <ol style="list-style-type: none"> <li>1. Arding Land Care Group - Letter to Bruce McMullen 23-11-23 - redacted</li> <li>2. Email - TfNSW - Speed Zone Reviews - Arding - Northeys - Hawthorne</li> </ol>   |
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |   |
| <b>Goal:</b>  | <ol style="list-style-type: none"> <li>1. We have an accessible inclusive and sustainable community</li> <li>2. We drive the economy to support prosperity</li> <li>4. We are an independent shire and well-governed community</li> </ol>   |
| <b>Strategy:</b>  | <ol style="list-style-type: none"> <li>1.2. A safe, active and healthy shire</li> <li>2.3. Communities that are well serviced with essential infrastructure</li> <li>4.1. Informed and collaborative leadership in our community</li> <li>4.3. An efficient and effective independent local government</li> </ol> |

**SUMMARY**

A letter was received by Council on 23 November 2023 from members of the Arding Landcare Group (Attachment 1) requesting a reduction in speed limits from 100 km/h to 80 km/h along Arding Road, Northeys Road and Hawthorne Drive in Uralla.

In their letter to Council, the Arding Landcare Group Inc members recommend speed limits as follows:

*Arding Road - 80 km/h for its entire length, due to the number of gravel trucks that use this road. On the western half, there is a more built-up area and 4 intersections.*

*Hawthorn Drive - 80 km/h for its entire length. It is built-up in places and quite winding in others. The new surface is encouraging speed, its residents report.*

*Northeys Road - 80 km/h for its entire length. It is extremely narrow and has no shoulder.*

The letter also states that long-time residents report that Arding Road used to have an 80 km/h limit on part of the road and for an unknown reason, it was removed (photograph included in Attachment1).

A request for review was put to Transport for NSW, and a subsequent desktop review was undertaken by TfNSW - See email received from Tracey Niddrie, TfNSW (Attachment 2). TfNSW have confirmed the speed limit along Arding Road, Northeys Road and Hawthorne Drive is 100 km/h.

The following information was also provided by TfNSW:

- Arding Road from New England Highway to Hawthorn Road intersection. Approximately 4.5km*
- *Has a total of 18 regularly used accesses for the entire length*
  - *Lane width looks to vary from approximately 6.5 to 7m*
  - *Predominantly straight alignment with good sight distance*

**URALLA LOCAL TRAFFIC COMMITTEE BUSINESS AGENDA****28 FEBRUARY 2024**

- Limited hazards in clearzones
- Five year crash history showed
  - o 1 x self-reported non serious crash on 31/12/22 in wet weather at 21:35 – Off road to left
  - o 1 x Police investigated serious injury crash on the New England Highway at the Arding Road intersection. Wet weather 11/05/21 at 15:00 – Right near

Hawthorne Drive from Arding Road for approximately 2km – approx 270m south of Northeys Road

- Has a total of 11 regularly used accesses for the length
- Lane width looks to vary from around 5m to 6m
- Straight alignment with good sight distance
- There are noted trees in imagery on the northern end of Hawthorne Drive, I am unable to see if these are in clearzone
- No crash history for the past 5 years

Northeys Road from Hawthorne Drive to New England Highway – approx 3.5km

- Has a total of 13 regularly used accesses
- Lane width looks to vary from around 5m to 6m
- Predominantly straight alignment, 2 curves with good sight distance
- Limited hazards in clearzones – some noted trees along roadside, however these do not look to be in the clearzone.
- Nil crash history over the last 5 years

*At this point in time these roads do not meet a 80km/h zone as outlined in the 2023 NSW Speed Zoning Standards. However, I do not believe we should be signposting these zones as 100km/h zones. Council should consider 'Reduce Speed to Condition' signage (G9-318-1). I am happy to look at other signage options for these roads and prepare a signage plan if you'd like. From a compliance standpoint, I highly doubt it would be achieved at these locations in most cases.*

*If Council does not agree with my findings. The next step in the process would be to collect Traffic Data for all 3 roads (outside holiday periods) as this will be required to feed into the reviews.*

**RECOMMENDATION**

That the Uralla Local Traffic Committee:

1. Note the request from Arding Land Care Group relating to Arding Road, Northeys Road and Hawthorne Drive.
2. That the suggested 80 km/h speed zone along sections of these roads not be supported.
3. That Council review warning signposting along these roads with a priority to intersection signage including Give Way and Tee Junction or Cross Road warning signs.

**REPORT**

The request for a suggested 80 km/h speed zone along sections of Arding Road, Northeys Road and Hawthorne Drive has been considered and inspected by the Council Manager Civil Infrastructure. Transport for NSW traffic officers have also provided comment above with respect to the 2023 NSW Speed Zoning Standards, to which Council staff agree with the speed zone assessment.

Arding Road is a B Class Road giving access as a distributor to other roads in the network, while both Northeys Road and Hawthorne Drive are C Class Roads providing access to properties and linkage to the road network. All of the roads are sealed roads 6 to 7m wide in good condition. The alignments are generally straight with some curves and crests, and compliance with a reduced speed limit to the general default would be unlikely. It is noted however that there is an absence of key warning signage, in particular on approaches to intersections. It is suggested that Council review all intersections along these roads with a priority to intersection warning signage including Give Way and Tee Junction or Cross Road warning signs.

URALLA LOCAL TRAFFIC COMMITTEE BUSINESS AGENDA

28 FEBRUARY 2024



Northeys Road – looking towards New England Highway intersection



Northeys Road – looking westward away from the New England Highway



## URALLA LOCAL TRAFFIC COMMITTEE BUSINESS AGENDA

28 FEBRUARY 2024



Northeys Road – looking east towards Wilkinsons Road / Val View Rd cross road intersection.



Northeys Road – looking westward away from Wilkinsons Road / Val View Rd cross roads

Arding Landcare Group Inc  
42 Thomas Lagoon Road  
ARDING NSW 2358



23-11-23

To: Councillor Bruce McMullen

Dear Sir,

As Arding residents, our members would like to apply for help from you to get speed limits on some of our local roads. We get a lot of through traffic from the Invergowrie area, to and from the Highway, both towards Armidale and Uralla. We also get heavy trucks from a local quarry, especially when there is Solar Installation activity.

We would like to recommend the following:

Arding Rd – 80km/hr for it's entire length, due to the number of gravel trucks that use this road. On the western half, there is a more built-up area and 4 intersections.

Hawthorn Dr. – 80km/hr for it's entire length. It is built-up in places and quite winding in others. The new surface is encouraging speed, it's residents report.

Northey's Rd - 80km/hr for it's entire length. It is extremely narrow and has no shoulder.

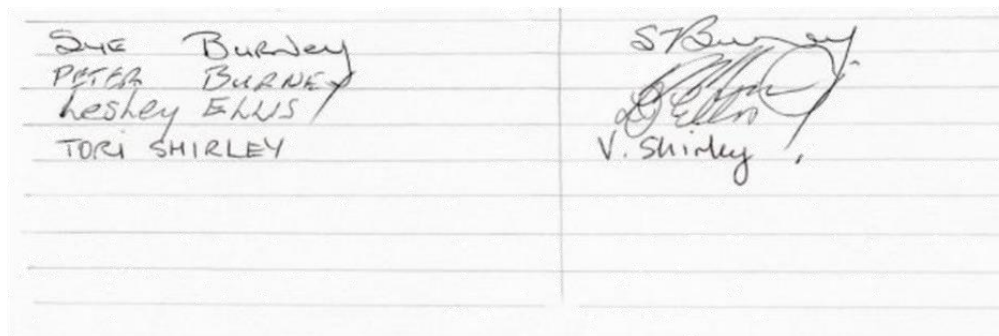
Long-time residents report that Arding Rd used to have an 80km/hr limit on part of it. For an unknown reason, it was removed.

We look forward to your help in this matter,

Signed by the following members:

|                  |               |
|------------------|---------------|
| CHRISTINE DUNCAN | C. Duncan     |
| Joanne Gowen     | J. Gowen      |
| CHERYL COOPER    | Cheryl Cooper |
| GWEN SMITH       | Gwen Smith    |
| DAVID DUNCAN     | D. A. Duncan  |
| GREG WOOD        | G. Wood       |
| David Smith      | D. Smith      |
| CARRY COOPER     | C. Cooper     |
| Brian Ferris     | B. Ferris     |
| JAMES REID       | J. Reid       |
| Robyn Reid       | R. Reid       |
| JOHN FARRELL     | J. Farrell    |
| ROD. O'BRIEN     | R. O'Brien    |
| MARC O'BRIEN     | M. O'Brien    |





Below is an old photo of Arding Rd, close to the corner of Jackson's Ln, showing the 80km/hr sign.



Arding Landcare Group Inc. contact:

Christine Duncan - Sec. Ph. [REDACTED]  
Email: [REDACTED]

**From:** [Tracey Niddrie](#)  
**To:** [Sylvia Baxter](#); [Michael Baby](#)  
**Cc:** [Al Balding](#)  
**Subject:** CM: Speed Zone Reviews  
**Date:** Friday, 8 December 2023 11:44:13 AM  
**Attachments:** [image002.png](#)  
[image004.png](#)  
[image005.png](#)

Hi Sylvia and Mick

I have completed a desktop review of Arding Road, Hawthorne Drive and Northeys Road, which are all zoned as default 100km/h.

Arding Road from New England Highway to Hawthorn Road intersection. Approximately 4.5km

- Has a total of 18 regularly used accesses for the entire length
- Lane width looks to vary from approximately 6.5 to 7m
- Predominantly straight alignment with good sight distance
- Limited hazards in clearzones
- Five year crash history showed
  - 1 x self-reported non serious crash on 31/12/22 in wet weather at 21:35 – Off road to left
  - 1 x Police investigated Serious injury crash on the New England Highway at the Arding Road intersection. Wet weather 11/05/21 at 15:00 – Right near

Hawthorne Drive from Arding Road for approximately 2km – approx 270m south of Northeys Road

- Has a total of 11 regularly used accesses for the length
- Lane width looks to vary from around 5m to 6m
- Straight alignment with good sight distance
- There are noted trees in imagery on the northern end of Hawthorne Drive, I am unable to see if these are in clearzone
- No crash history for the past 5 years

Northeys Road from Hawthorne Drive to New England Highway – approx 3.5km

- Has a total of 13 regularly used accesses
- Lane width looks to vary from around 5m to 6m
- Predominantly straight alignment, 2 curves with good sight distance
- Limited hazards in clearzones – some noted trees along roadside, however these do not look to be in the clearzone.
- Nil crash history over the last 5 years

At this point in time these roads do not meet a 80km/h zone as outlined in the 2023 NSW Speed Zoning Standards. However, I do not believe we should be signposting these zones as 100km/h zones. Council should consider 'Reduce Speed to Condition' signage (G9-318-1). I am happy to look at other signage options for these roads and prepare a signage plan if you'd like. From a compliance standpoint, I highly doubt it would be achieved at these locations in most cases.

If Council does not agree with my findings. The next step in the process would be to collect Traffic Data for all 3 roads (outside holiday periods) as this will be required to feed into the reviews.

Regards,

**Tracey Niddrie**

Community and Safety Support Officer – New England Precinct

Community Partnering

Regional and Outer Metropolitan

**Transport for NSW**



[Chat with me in Teams!](#)

M 0436 114 481 E [Tracey.Niddrie@transport.nsw.gov.au](mailto:Tracey.Niddrie@transport.nsw.gov.au)

Level 1, 76 Victoria St, Grafton NSW 2460

PO Box 576 Grafton NSW 2460



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**URALLA LOCAL TRAFFIC COMMITTEE BUSINESS AGENDA****28 FEBRUARY 2024****5.2 Request from Uralla Bowling Club for Designated Bus Zone, Removal of Taxi Zone and a Drop Off Zone**

|   |  |   |
|---|--|---|
| <b>Department:</b>  | <b>Infrastructure &amp; Development</b>                    |   |
| <b>Prepared By:</b>   | <b>Manager Civil Infrastructure</b>                        |   |
| <b>Authorised By:</b>   | <b>Executive Director Infrastructure &amp; Development</b> |   |
| <b>Reference:</b>   | UINT/24/112  |   |
| <b>Attachments:</b>   | 1.   | Uralla Bowling & Recreation Club Ltd - Request for Bus Parking at Front of Club |
|   | 2.   | Uralla Bowling & Recreational Club - Alternative Bus Parking                    |
| <b>LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK</b> |  |   |
| <b>Goal:</b>  | 1.   | We have an accessible inclusive and sustainable community                       |
|   | 2.   | We drive the economy to support prosperity                                      |
|   | 4.   | We are an independent shire and well-governed community                         |
| <b>Strategy:</b>  | 1.2.   | A safe, active and healthy shire  |
|   | 1.4.   | Access to and equity of services  |
|   | 2.3.   | Communities that are well serviced with essential infrastructure                |
|   | 4.1.   | Informed and collaborative leadership in our community                          |

**SUMMARY**

Uralla Local Traffic Committee has received two (2) letters from the Uralla Bowling & Recreation Club (Attachment 1 and 2) requesting the following parking allocations:

1. *A designated bus parking area at the front of the club;*
2. *Removal of the Taxi Zone; and*
3. *One or Two 5 Minute Drop Off Zones for the elder patrons of the club.*

**RECOMMENDATION**

That the Uralla Local Traffic Committee:

1. Note the request from Uralla Bowling Club to amend parking at the front of the club.
2. That Council staff prepare a plan of proposed parking amendments considering the requested changes and correctional signage along the Hill Street frontage of the Club.

**REPORT**

The Bowling Club frontage of Hill Street is 80 metres in length including an unrestricted parking area approximately 40 m long, Staff Parking Only section, Taxi Stand section and No Stopping across the internal car park access driveway. There are a number of inconsistencies with the existing parking signage including;

- Unrestricted parking area (adjacent to the bowling green) is not signposted. Vehicles tend to angle park rear to kerb similar to the main street parking, however as it is not signed, the default under NSW Road Rules is to park in the direction of travel parallel, and adjacent, to the kerb.
- Vehicles regularly park on Hill Street close to the intersection of Queen Street partially obstructing Safe Intersection Sight Distances of vehicles travelling on Hill Street (Thunderbolts Way). Under the NSW Road Rules vehicles should not park within 10m of Queen Street.
- There is a Staff Parking Only sign with a single direction arrow, the other side not defined at the Taxi Stand.

**URALLA LOCAL TRAFFIC COMMITTEE BUSINESS AGENDA****28 FEBRUARY 2024**

- There is a faded Taxi Stand sign with a single direction arrow, the other side again not defined across the entrance area of the Club building.
- There is only one No Stopping sign on the western side of the car park driveway. The eastern side of the No Stopping, at least across the driveway, is undefined and could apply to areas where vehicles are parking.

As the Club is an intensive parking attractor at certain times, the restricted parking areas need to be defined. The priority can then be given to safety around intersections and car park access, with ease of set down areas near the building entry.

It is suggested that Council staff prepare a plan of proposed parking amendments considering the requested changes and correctional signage along the Hill Street frontage of the Club for compliance with the NSW Road Rules.



Hill Street – view looking along Hill Street UBC frontage towards Queen Street intersection



## URALLA LOCAL TRAFFIC COMMITTEE BUSINESS AGENDA

28 FEBRUARY 2024



Hill Street – Staff Parking Only sign near UBC building entrance



Hill Street – faded Taxi Stand sign in front of UBC building entrance

## URALLA LOCAL TRAFFIC COMMITTEE BUSINESS AGENDA

28 FEBRUARY 2024



Hill Street – view looking across UBC building entrance



Hill Street – view looking across UBC off-street carpark entrance towards No Stopping sign



**Uralla Bowling & Recreation Club Ltd**

PO Box 4  
52 Hill Street  
URALLA NSW 2358  
P: 02 6778 4192  
F: 02 6778 3216  
ABN: 50 001 070 766

30<sup>th</sup> August, 2023

General Manager,  
Uralla Shire Council,  
Salsbury Street,  
URALLA NSW 2358

**For attention to the Traffic Committee**

Dear Sir/Madam,

The Uralla Bowling and Recreation club would like to make application to have a designated bus parking area at the front of the Club.

At present at the front of the club we have two (2) staff car parks, which are needed for night lock up staff. As you look at the club on the left side of the staff car parks is a Taxi parking area.

Member are now encroaching on this Taxi parking at the prime position at the front of the club. We are now running the bus 3-4 days per week to enable our patrons to get home safely due to no taxi service in town, and we need a safe and secure place so that members can easily step off the curb into the bus and then the bus can safely turn heading east or west from the club. This has become increasingly difficult and most times the bus is having great difficulty parking within a reasonable distance for members to get on and off the bus safely.

We feel we would require the whole area that the current taxi zone has presently or a shared taxi/bus zone.

Please feel free to contact me to discuss this matter on the above number or mobile 0400472183.

Kind regards

**Helen Avery**  
Secretary Manager

Page 1

**Uralla Bowling & Recreation Club Ltd**

PO Box 4  
52 Hill Street  
URALLA NSW 2358  
P: 02 6778 4192  
F: 02 6778 3216  
ABN: 50 001 070 766

27<sup>th</sup> September, 2023

General Manager,  
Uralla Shire Council,  
Salsbury Street,  
URALLA NSW 2358

**For attention to the Traffic Committee**

Dear Sir/Madam,

Further to our letter dated 30<sup>th</sup> August 2023, regarding designated bus parking, the board of Directors and myself were wondering if we could have the following:

Remove the Taxi Zone;  
Mark 1 or 2 x 5 minute drop off zone parks for elder patrons to be dropped off at the club;  
Have the remaining space dedicated to bus zone.

It has come to the boards attention that some of our elderly patrons are dropped off by family and sometimes they have to walk the full length of the side car park to get to the front door. It could be alleviated by a designated drop off zone for this purpose.

Please feel free to contact me to discuss this matter on the above number or mobile 0400472183.

Kind regards

*Helen Avery*

**Helen Avery**  
**Secretary Manager**

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**URALLA LOCAL TRAFFIC COMMITTEE BUSINESS AGENDA****28 FEBRUARY 2024**

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**5.3 Uralla Arts - Lantern Parade - Road Closure - 23 March 2024**

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|                       |  |
|-----------------------|--|
| <b>Department:</b>    | <b>Infrastructure &amp; Development</b>                    |
| <b>Prepared By:</b>   | <b>Manager Civil Infrastructure</b>                        |
| <b>Authorised By:</b> | <b>Executive Director Infrastructure &amp; Development</b> |
| <b>Reference:</b>     | UINT/24/2035   |

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|                     |   |
|---------------------|---|
| <b>Attachments:</b> | 1. Uralla Arts - Lantern Parade - Plan - TMP - Road Closure - 23 March 2024 |
|---------------------|---|

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**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

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|                  |  |
|------------------|--|
| <b>Goal:</b>     | 1. We have an accessible inclusive and sustainable community |
|                  | 4. We are an independent shire and well-governed community   |
| <b>Strategy:</b> | 1.2. A safe, active and healthy shire                        |
|                  | 4.1. Informed and collaborative leadership in our community  |

---

**SUMMARY**

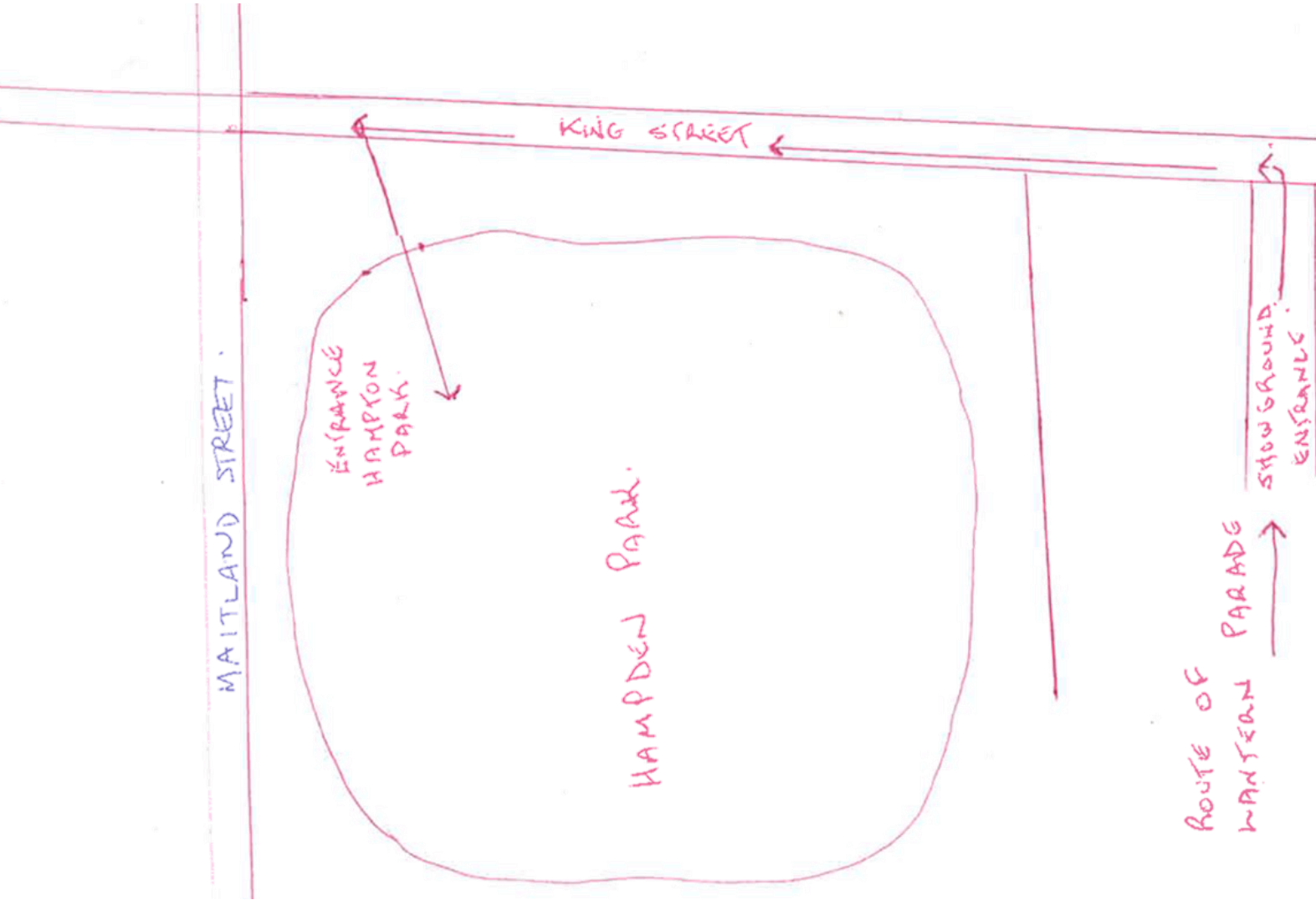
Council has received an email from Bob Anderson, President Uralla Arts providing the annual Lantern Parade TMP (Attachment 1).

The parade will leave the Uralla Showground approximately 7:15pm, turn left down King Street and enter Hampden Park via the entrance at the bottom of King Street just before Maitland Street.

The street closure will only require closure from the Showground entrance to King and Maitland Street.

**RECOMMENDATION**

1. That the Uralla Local Traffic Committee agree to the proposed road closure in King Street subject to no objection to the event being raised by NSW Police.



URALLA LOCAL TRAFFIC COMMITTEE BUSINESS AGENDA

28 FEBRUARY 2024

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**6 CONCLUSION OF MEETING**



## MINUTES of

### URALLA LOCAL TRAFFIC COMMITTEE

Held on 28 February 2024 at 10:00am

#### Attendance at Meeting:

|                           |                |  |
|---------------------------|----------------|--|
| <b>Committee Members:</b> | Tracey Niddrie | Transport for NSW                                      |
|                           | Bob Barwell    | Local Member Representative                            |
|                           | Bruce McMullen | Councillor   |
|                           | David Counsell | Manager Civil Infrastructure                           |
| <b>USC Staff:</b>         | Sylvia Baxter  | Executive Support Officer Infrastructure & Development |
| <b>Apologies:</b>         | Alex McNeill   | Uralla Police  |
| <b>Observers:</b>         | Gregory Aitken | Transport for NSW                                      |
|                           | Robert Bell    | Mayor  |

## URALLA LOCAL TRAFFIC COMMITTEE MINUTES

28 FEBRUARY 2024

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## URALLA LOCAL TRAFFIC COMMITTEE MINUTES

28 FEBRUARY 2024

**1 OPENING & WELCOME**

The Chair declared the meeting opened at 10:30.

**2 APOLOGIES & APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS /COMMITTEE MEMBERS**

Alex McNeill – Uralla Police

**3 CONFIRMATION OF MINUTES**

Amendments to previous minutes:

1. MCI - Amendment needed to previous minutes regarding speed zone on Warwick Street.  
Cr McMullen – query – 80k extension from Warwick Street/Barleyfields Road? – hasn't happened yet.  
MCI has started inspections and measured location and will liaise with TfNSW to do a speed zone site inspection. Once TfNSW approve speed zone adjustment and related signage, works will be programmed.  
**Action: TfNSW will assist with funding of the new signs.**
2. MCI – Recommendation 3 – extension of speed zone in Warwick Street –requires clarification – extension does not reach northern side of Somerset Close – was the intent to extent to northern side of Somerset up on the crest in the road?  
Cr McMullen would like 75m to be extended to 300m.  
Cr McMullen - Warwick Street truck volume is causing problem.  
Site visits need to happen to make a determination regarding speed zones and signage needed.  
TfNSW – Speed zone/traffic data would also be needed for the review to go through.  
**Action: MCI will get traffic counters installed.**
3. MCI - Gostwyck Road also has speed adjustment – 50k sign was going to end just before McCrossin Street – need to review and put 50k on eastern side of McCrossin Street to include narrow culvert.  
Transport and Council staff to review the signs.  
TfNSW – advised Council should inform residents of change in speed zones.  
**Action: TfNSW will conduct inspection to assess speed zone adjustment.**
4. Kiss and Drop outside School – MCI advised straight forward and will be going through.
5. Kingstown Road – TfNSW – Audit – MCI will review and get back to Transport.  
Bob Barwell – Safety audit to Ducats quarry?  
Tracey did raise with her supervisor – more information is needed by Transport – an email needs to be sent to Tracey with all information.  
**Action: Council MCI to forward information to TfNSW.**

## URALLA LOCAL TRAFFIC COMMITTEE MINUTES

28 FEBRUARY 2024

**RECOMMENDATION**

That Council accept the minutes of the Uralla Local Traffic Committee held 12 December 2023, with the above clarifications and amendments.

**4 LATE REPORT/S**

The Chair advised there were no late, urgent and supplementary items or reports of business.

**5 REPORTS TO COMMITTEE****5.1 REQUEST FOR SPEED LIMIT REDUCTION ON ARDING ROAD, NORTHEYS ROAD AND HAWTHORNE DRIVE URALLA****RECOMMENDATION**

That the Uralla Local Traffic Committee:

1. Note the request from Arding Land Care Group relating to Arding Road, Northeys Road and Hawthorne Drive.
2. That the suggested 80 km/h speed zone along sections of these roads not be supported.
3. That Council review warning signposting along these roads with a priority to intersection signage including Give Way and Tee Junction or Cross Road warning signs.

TfNSW - suggested possibly putting in a single centre line and maybe audible lines on crest or curbs.

MCI - Need to keep it low maintenance.

**Action:**

1. That the Committee support the recommendation.
2. MCI – To advise Arding Landcare Group of ULTC decision.

**5.2 REQUEST FROM URALLA BOWLING CLUB FOR DESIGNATED BUS ZONE, REMOVAL OF TAXI ZONE AND A DROP OFF ZONE****RECOMMENDATION**

That the Uralla Local Traffic Committee:

1. Note the request from Uralla Bowling Club to amend parking at the front of the club.
2. That Council staff prepare a plan of proposed parking amendments considering the requested changes and correctional signage along the Hill Street frontage of the Club.

MCI - no signage out the front of the Club requiring/advising of 'angled' parking – need to install signage.

Taxi zone sign is faded – currently no Taxi service in Uralla.

Only one arrow on staff parking sign.

Front of club – past entrance on far sign of driveway is no stopping but there is no sign on other side – need to rationalise no stopping across driveway.

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URALLA LOCAL TRAFFIC COMMITTEE MINUTES28 FEBRUARY 2024

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**Action:**

1. MCI will bring changes to next traffic committee addressing signage.
2. That the Committee accept recommendation.

**5.3 URALLA ARTS - LANTERN PARADE - ROAD CLOSURE - 23 MARCH 2024****RECOMMENDATION**

1. That the Uralla Local Traffic Committee agree to the proposed road closure in King Street subject to no objection to the event being raised by NSW Police.

TfNSW - advised of Special Event Guide that is available to help road closure events and suggested a Council vehicle be put across the road to prevent vehicles getting through.  
Mayor - advised Council staff do park their vehicles across the road along with signage, etc.

**Action:**

1. The Committee accepted recommendation.

**6 OTHER BUSINESS**

1. Cr McMullen – are TfNSW able to encourage greater police presence in Uralla? We only have one highway patrol that doesn't really include Uralla and a mobile speed camera on Francis Hill. Main issues are with passing traffic along highway and traffic coming in from Walcha – not the locals.

TfNSW – have no control over mobile speed camera. If Council put something to TfNSW in writing they will try to address it.

Centre for Road Management are the managing agency for mobile speed camera units.

TfNSW – Suggest Council purchase VAS (vehicle activated sign) – sign collects data ie, speeding, etc.

MCI - advised Council has a lot of maintenance work to perform regarding signage around schools, line-marking, round-a-bout construction King and Maitland – MCI – consulting with TfNSW regarding design.

2. Cr McMullen – Alma Park corner, where is that up to?

TfNSW have raised the issue – designer is caught up in other work (Coffs Harbour by-pass) – TfNSW will follow up.

**Action:**

1. Council will write to TfNSW regarding mobile speed camera on Francis Hill.
2. Council will also write to TfNSW requesting greater police presence to monitor traffic safety compliance.
3. TfNSW to follow up with designer regarding Alma Park corner redesign.

**URALLA LOCAL TRAFFIC COMMITTEE MINUTES****28 FEBRUARY 2024**

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**7 CONCLUSION OF MEETING**

The meeting was closed at 11:36am.

CONFIRMED

## 14 REPORTS TO COUNCIL

### 14.1 Minutes Bundarra School of Arts Hall and Community Consultative s355 Committee from 28 February 2024

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|                       |  |
|-----------------------|--|
| <b>Department:</b>    | <b>Infrastructure &amp; Development</b>                    |
| <b>Prepared By:</b>   | <b>Executive Director Infrastructure &amp; Development</b> |
| <b>Authorised By:</b> | <b>Executive Director Infrastructure &amp; Development</b> |
| <b>Reference:</b>     | UINT/24/3548   |

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#### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

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|                  |  |
|------------------|--|
| <b>Goal:</b>     | 1. We have an accessible inclusive and sustainable community |
|                  | 4. We are an independent shire and well-governed community   |
| <b>Strategy:</b> | 1.4. Access to and equity of services                        |
|                  | 4.3. An efficient and effective independent local government |

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#### SUMMARY

The Minutes of the Bundarra School of Arts Hall and Community Consultative s355 Committee meeting held 28 February 2024 are presented to Council in Attachment 1 to this report.

#### RECOMMENDATION

##### That Council:

1. **Receives the Minutes of the Bundarra School of Arts Hall and Community Consultative s355 Committee meeting held 28 February 2024.**
2. **Notes that there were no Recommendations for Council's formal consideration tabled at the meeting.**

#### REPORT

The Bundarra School of Arts Hall and Community Consultative s355 Committee meeting was held on 28 February 2024.

The Meeting was attended by Deputy Mayor Crouch and Councillor Doran, and the Director Infrastructure and Development.

The Committee was represented by Therese Layton, John Layton, Jeff Dezius, newly appointed member Jenny Dezius. An apologies was Kristi Jenkin.

#### Item 1 - Council Feedback on Previous Minutes

Committee was appraised of the status of their previous recommendations to Council and were satisfied generally with the actions already approved and undertaken, and those now proposed by Council, including:

1. That Council had agreed, at the Committee's request, to disregard the Committee's previous request to utilise the Rural Transaction Money (RTC) to procure 150 new chairs and 10 tables; and to await a future recommendation from the Committee regarding the use of that fund.
2. That Council had resolved to install a memorial (proposed by Mrs Gray) at the Bundarra Cemetery commemorating all those of indigenous and other backgrounds who lay in unmarked graves.
3. That Council, utilising the Fixing Country Roads Round 6 grant funding, was addressing the problematic section of the Bundarra Road 6-8 kilometres before the Laura Bridge and that project was currently in the design phase.

4. That Council was applying a component of the Safer Country Communities Fund Round 5 (SCCF 5) grant to upgrade the existing public toilets at both Emu Crossing and in Bundarra Township.
5. That Council had allocated a further component of the SCCF 5 to install a picnic table and chairs in the vicinity of the Grace Munroe facility.
6. That the other already approved projects including the additions to the existing playground at the multi-purpose courts (including shade sail and kids cycle path) were funded and awaiting the arrival of Council's new Project Manager before proceeding.

## **Item 2. Matters Raised by the Committee**

1. The Committee raised a number of minor issues regarding already planned projects in Bundarra and Council was able to clarify that all of those items (lighting in refurbished toilets, kids cycle track at the multi-purpose courts, repair on the existing toilets, etc were all included in the current works list as a consequence of a visit by Council's Asset Manager.
2. The Committee was highly supportive of Council's recent resolution regarding the Bundarra Cemetery plaque.
3. The Committee raised the prospect of future fencing enhancements at the multi-purpose courts as a future item to be discussed in greater detail at an appropriate time.
4. The Committee raised the issue of local Lions Club involvement in the creation of town entry signage which is a Uralla Rotary Club project. Council representatives committed to ensure appropriate inclusion was arranged.

## **Item 3. Recommendations for Council Consideration**

Nil

## **CONCLUSION**

The Bundarra School of Arts Committee Meeting took place at Bundarra on 28 February 2024. The minutes of that meeting are presented here for Council's consideration and noting.

## **COUNCIL IMPLICATIONS**

### **Community Engagement/Communication**

The Committee provides an excellent forum for genuine local community engagement and provides valuable feedback which assists to guide staff decision-making and recommendations to Council.

### **Policy and Regulation**

The Bundarra School of Arts Committee is a 355 Committee of Council

### **Financial/Long Term Financial Plan**

Nil

### **Asset Management/Asset Management Strategy**

Reports from the Committee provides valuable input which assists to maintain the currency of Council's Asset Management Plans.

### **Workforce/Workforce Management Strategy**

Nil

**Legal and Risk Management**

Nil

**Performance Measures**

Nil

**Project Management**

Staff









## 14.2 Development Application - DA-76-2023 Boundary realignment - Lot 326 DP755811 & Lot 1 DP618239 58 & 62 Mundays Lane SAUMAREZ PONDS

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|                       |  |
|-----------------------|--|
| <b>Department:</b>    | <b>Infrastructure &amp; Development</b>    |
| <b>Prepared By:</b>   | <b>Acting Manager Planning Development</b> |
| <b>Authorised By:</b> | <b>General Manager</b>                     |
| <b>Reference:</b>     | UINT/24/2534                               |

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|                     |  |
|---------------------|--|
| <b>Attachments:</b> | 1. Plan of Subdivision <a href="#">↓</a>                      |
|                     | 2. Redacted Submissions <a href="#">↓</a>                     |
|                     | 3. Draft Notice of Determination <a href="#">↓</a>            |
|                     | 4. Local Land Services Supporting Letter <a href="#">↓</a>  |
|                     | 5. Further Justification Letter <a href="#">↓</a>             |
|                     | 6. Section 4.15 Assessment Report <a href="#">↓</a>           |

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### LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK

|                  |   |
|------------------|---|
| <b>Goal:</b>     | 3. We are good custodians of our environment                            |
| <b>Strategy:</b> | 3.2. Maintain a healthy balance between development and the environment |

---

### SUMMARY

Council has received a Development Application for Boundary realignment of Lot 326 DP755811 & Lot 1 DP618239, also described as 58 & 62 Mundays Lane SAUMAREZ PONDS.

The existing layout consists of two (2) lots (RU2 and R5 zoned), each which is below their applied minimum lot size. The proposal would create a 6ha RU2 zoned lot, which forms a further and substantial reduction to the minimum lot size and creates an unusual pattern of development.

Notwithstanding, Clause 4.2C of the Local Environmental Plan provides an eligibility and merit framework for considering boundary realignments in certain circumstances, under which the application is considered acceptable.

On balance, the proposal is supportable when considered against relevant matters for consideration. In particular, the proposal would not create any new dwelling entitlements, and would link the lagoon to the owner's primary dwelling (an original homestead of the area and originally attached to the lagoon), better ensuring continued best practice conservation of the lagoon land.

Following notification of the Development Application, three (3) submissions were made in objection to the proposal, requiring a Council decision.

The proposal has been assessed and is recommended for approval subject to conditions.

### NOTE TO COUNCILLORS

In accordance with the provisions of S375A of the Local Government Act 1993, a Division is to be called whenever a motion for a planning decision is put to the meeting, for the purpose of recording voting on planning matters.

Development applications require a decision of Council which MUST be either:

- Approval with conditions (to be prepared by the Manager Development and Planning) OR
- Refused with reasons.

**RECOMMENDATION**

That Council approves the Development Application (DA-76-2023) for a Boundary Realignment of Lot 326 DP755811 & Lot 1 DP618239, land at 58 & 62 Mundays Lane SAUMAREZ PONDS, subject to the conditions of consent in the attached Notice of Determination

**REPORT**

The existing and proposed lot configurations together with LEP zoning map are shown below:



Figure 1: Existing Layout (Aerial) (source: sixmaps)



Lot arrangement/layouts are summarised below:

| Existing                            |          |           |   |
|-------------------------------------|----------|-----------|---|
| Address                             | LEP Zone | Size (Ha) | Key/Relevant Features:  |
| Lot 366 DP755811<br>58 Mundays Lane | RU2      | 39.2ha    | Identified as “The Springs”<br>Contains Saumarez Lagoon and existing dwelling<br>“C” shaped Lot, surrounding Saumarez Ponds Recreation Reserve<br>Fronts Mundays Lane and Ferris Lane |
| Lot 1 DP 618239<br>62 Mundays Lane  | R5       | 1.98ha    | Identified as “Lagoon Homestead”<br>Contains existing dwelling circa 1880<br>Access from Mundays Lane (no frontage, lawful access via road reserve)                                   |

| Proposed                          |          |           |  |
|-----------------------------------|----------|-----------|--|
| Address                           | LEP Zone | Size (Ha) | Key/Relevant Features:   |
| Proposed Lot 1<br>62 Mundays Lane | RU2 & R5 | 35.2      | Would contain Saumarez Lagoon and “Lagoon Homestead” at 62 Mundays Lane<br>Split zoning  |
| Proposed Lot 2<br>58 Mundays Lane | RU2      | 6ha       | Would contain single dwelling which is currently within “The Springs” at 58 Mundays Lane<br>Single lot, however in two clear parts, joined by 200m battle-axe handle characteristic. |

The proposal is for a realignment of land only, and would not create additional dwelling entitlements or additional lots. Key planning considerations are as follows:

**Clause 4.1(3) of LEP (minimum lot size)**

This clause forms a Development Standard of the LEP, applying minimum lot size provisions. While the type of development at hand does not engage the Clause (discussed further in this report), it is nonetheless of value to note.

The RU2 zoned land at 58 Mundays Lane (lot containing lagoon) has a minimum lot size of 400ha. The R5 zoned land at 62 Mundays Lane has a minimum lot size of 25ha. At the outset, both subject lots are well below their applied minimum lot sizes. It is acknowledged that the proposal would create a further erosion of the 400ha minimum lot size.

**Clause 4.2C (boundary changes between lots in certain rural, residential and conservation zones)**

This Clause forms the crux of this assessment, and effectively prevails over Clause 4.1(3). Relevant parts of the clause are below:

- (1) The objective of this clause is to permit the boundary between 2 or more lots to be altered in certain circumstances to give landowners a greater opportunity to achieve the objectives for development in a zone.*



(2) *This clause applies to land in any of the following zones—*

(a) *Zone RU1 Primary Production,*

**(b) Zone RU2 Rural Landscape,**

(ba) *Zone RU4 Primary Production Small Lots,*

**(c) Zone R5 Large Lot Residential,**

(d) *Zone C3 Environmental Management,*

(e) *Zone C4 Environmental Living.*

(3) *Despite clause 4.1 (3), development consent may be granted to the subdivision of 2 or more adjoining lots comprised in land to which this clause applies if the subdivision will not result in any of the following—*

(a) *an increase in the number of lots,*

(b) *an increase in the number of dwellings or dual occupancies on (or dwellings or dual occupancies that may be erected on) any of the lots.*

The clause also includes additional matters for consideration for assessment, which are included in the table further below.

The proposal is eligible for application of the clause pursuant to 4.2C(2) & (3), given each zone is listed and the proposal causes no increase in the:

- Number of lots; or
- The opportunity for an increase in the number of dwellings on each resulting lot (it is noted that Dual Occupancy is permitted with consent on each lot, regardless of the proposal).

The objective of the clause is to “... *permit the boundary between 2 or more lots to be altered in certain circumstances to landowners a greater opportunity to achieve the objectives for development in a zone.*” The clause goes on to prescribe certain matters which the consent authority must consider before determining an application under the Clause.

In terms of the meeting objectives, the proposal constitutes a unique circumstance, namely through the lagoon occupying the balance of the lot (areas clear of the approximate high water mark are limited to around 25% or 10ha) of the lot. The zone objectives for RU2 land are as follows:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*

The proposal itself does not further the RU2 objectives of the land, however nor is it contrary. The associated large minimum lot size provides some protection for the land, however the zoning itself is a broad tool which does not necessarily recognise the special lagoon characteristics. The lagoon part is tantamount to a C2 ‘Environmental Conservation’ zone, and the proposal would more comfortably further these objectives:

- *To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on those values.*

In addition, the proposal demonstrates acceptability against matters prescribed under Clause 4.2C(4):

**Table: Assessment against Clause 4.2C(4)**

|   |  |
|---|--|
| <i>(a) the existing uses and approved uses of other land in the vicinity of the subdivision,</i>                    | The proposal would not conflict with existing or approved uses of land in vicinity of the subdivision. |
| <i>(b) whether or not the subdivision is likely to have a significant impact on land uses that are likely to be</i> | Surrounding lands are zoned R5 at east, west and southern sides and RU2 to the north. The proposal     |

|  |   |
|--|---|
| <i>preferred and the predominant land uses in the vicinity of the development,</i>   | would not cause any impact on preferred and predominant land uses associated with these lands.  |
| <i>(c) whether or not the subdivision is likely to be incompatible with a use referred to in paragraph (a) or (b),</i>                           | No matters of incompatibility are envisaged with regards to (a) and (b).  |
| <i>(d) whether or not the subdivision is likely to be incompatible with a use of land in any adjoining zone,</i>                                 | The proposal would not be incompatible with land in adjoining zones. Again, it is noted that surrounding lands are largely R5   |
| <i>(e) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d),</i>                  | No measures are required to be considered.  |
| <i>(f) whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,</i>               | The proposal is considered to allow for improved and ongoing management of the lagoon land.   |
| <i>(g) whether or not the subdivision is likely to have an adverse impact on the environmental values or agricultural viability of the land.</i> | The proposal is considered to support the improvement of the environmental values of the lagoon land. It is not considered that a material loss of agricultural viability would occur as a result of the proposal, again given the affected lot is predominately made up of the lagoon footprint. |

In carrying out the above assessment, the applicant provided Council with additional information to justify the proposal. Key comments from the applicant as follows:

- The property owners (owns both lots) reside in the original 'Lagoon Homestead'. The proposal would reconnect a linkage between the lagoon and this homestead.
- Amalgamation of lots has been considered, but is not a financially viable option/imposition.
- The owners have worked with the University of New England and the Local Lands Services to educate, protect and implement management strategies to enhance and ultimately protect the Lagoon (a letter of support was received from Northern Tablelands Local Land Services, and is attached to this report).
- The owners consider and have demonstrated that the lagoon is better protected by being attached to the Lagoon Homestead, rather than the existing dwelling at 58 Munday Lane (which is of a lesser scale and grandeur) – there is a potential likelihood that it may be purchased as an attractive hobby farm, and partly by virtue of the RU2 zoning protected from regular rural pursuits (keeping of horses, cattle grazing lagoon and the like).
- The applicant also justifies the lot layout due to the high watermark, which Council's officer is reasonably satisfied with.

The above is a summary only, and the complete further justification is attached to the report.

The proposal would create a 'split zone' for the lagoon balance lot, this is undesirable but is not a significant concern in this instance. By virtue of the land in both zones being below the minimum lot size, it would be difficult for the Lagoon Homestead to be 'subdivided off' the lagoon land in future (and would require Development Consent [a DA]) in any instance). Council's officer has suggested a restriction to ensure no subdivision may occur on this land, however ultimately this is not a reasonable condition to propose, and the minimum lot size provisions are a satisfactory assurance.

Similarly, while the proposal will create a 6ha lot of limited rural viability and of typical R5 depth characteristics, it is not reasonable to speculate that the excision of the land furthers steps towards a 'rezoning' to R5 land, given the application is acceptable in its own right, through meeting the Clause 4.2C. In this regard, the proposed new boundary also aligns with sufficient high water mark perimeter access.

While it appears that Clause 4.1 and 4.2C may be in conflict, Clause 4.2C is the appropriate mechanism to be applied, with the proposal demonstrating acceptable merit and unique circumstances to be recommended for approval.

Submissions were received in relation to the proposal, however again, in the context of a boundary realignment only (not in itself an intensification of the site/change to the status quo), the proposal is acceptable with regards to matters raised (please refer to attached redacted submissions and report).

The attached report (*s4.15 EPA Act 1979*) provides further assessment of the development application (DA-76-2023) submitted for a Boundary Realignment of Lot 326 DP755811 & Lot 1 DP618239, 58 & 62 Mundays Lane SAUMAREZ PONDS. The report demonstrates the acceptability of the proposal having regards to statutory matters of consideration.

## **CONCLUSION**

The proposed development is permissible with the consent of Council. The proposed development complies with the relevant aims, objectives and provisions of Uralla LEP 2012 (as amended) and DCP 2011. A Section 4.15 assessment of the development indicates that the development is acceptable in this instance. Attached is a Notice of Determination outlining conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

## **COUNCIL IMPLICATIONS**

### **Community Engagement/Communication**

The application was notified in accordance with the Uralla Community Engagement Plan related Community Participation Plan.

### **Policy and Regulation**

Consistent with Uralla LEP 2011

### **Financial/Long Term Financial Plan**

No financial impacts

### **Asset Management/Asset Management Strategy**

Nil

### **Workforce/Workforce Management Strategy**

Assessment completed by A/Manager P&D

### **Legal and Risk Management**

The submitter and applicant will have appeal rights.

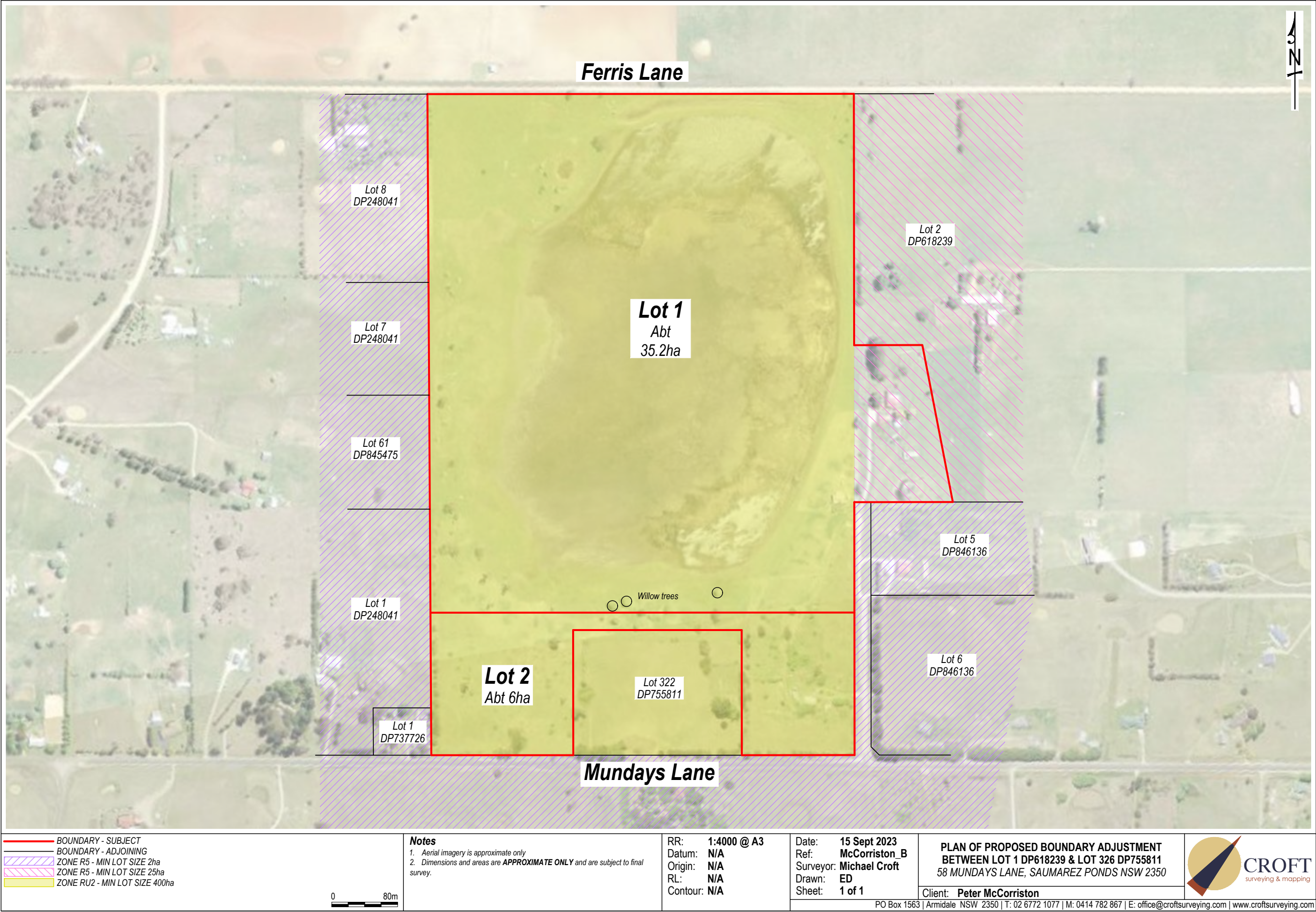
### **Performance Measures**

Assessment has exceeded 42 days but in full consultation with applicant to avoid an earlier proposed refusal and to achieve a satisfactory outcome.

### **Project Management**

Nil





**Kate Blackwood**

---

**From:**  
**Sent:** Monday, 18 December 2023 4:31 PM  
**To:** Council  
**Subject:** DA-76-2023

Development application - DA-76-2023

The wetland in the centre of Lot 1 on the proposed development map is a freshwater ephemeral wetland and listed under both state and federal government biodiversity conservation acts.

My PhD at the University of New England is part of the Upland Lagoon Project which is researching this particular type of wetland with the goal of building knowledge and public support for these threatened upland wetlands of the New England Tablelands. These wetlands are integral parts of the New England Tablelands unique landscape.

These wetlands are ephemeral which means they have both wet and dry phases. Both phases are essential to maintain the ecology of the wetland. Ephemeral wetlands of the New England tablelands have high biodiversity which includes several endangered species. They are not connected to water sources such as rivers and are heavily reliant on the runoff from the surrounding landscape (their catchment) to maintain their ecological integrity. Any alterations to the landscape will impact runoff and hence the wetting drying cycles of the wetland. Increased siltation from runoff from construction of farm infrastructure, and potential for increased pollutants entering the wetland, will all cause changes in the ecology of this threatened system.

These wetlands are already under pressure due to past landscape changes and climate changes. Further changes to the surrounding of this wetland will compromise the flow of runoff and detrimentally impact the ecology of the wetland that is already under pressure. Subdivision of the surrounding landscape of this wetland particularly within such close proximity will cause irreparable harm to the wetland, the surrounding landscape, and the Uralla community.

Thank you for your consideration,

**Kate Blackwood**

---

**From:**  
**Sent:** Monday, 18 December 2023 3:34 PM  
**To:** Council  
**Subject:** DA-76-2023  
**Attachments:** Lagoons LLS Report.pdf  
  
**Importance:** High

To Whom it Concerns,

I wish to make comment on the DA application DA-76-2023. I would be happy to attend any meeting that may concern this issue.

I have attached a report that considers this lagoon (See diagram on Page 85).

The lagoon is both listed as Endangered on the Federal EPBC Act and the State BCT Act. Both state clearly that any affects on the water quality and lagoon bed or catchment may require federal approval. There are only 58 of these known within the world.

I have been researching these communities for over 10 years on state and federal funding along with Local Land Services and such intensive development with a lack of extensive amendments to protect water quality or protecting the remaining small catchment would be significantly and measurably detrimental to these endangered water bodies.

This particular lagoon is one of the largest and most intact and is current considered one of the best preserved.

Also of note is that Uralla Council is a partner of Dynamic Lagoons who have provided funding to help preserve these endangered systems. To both fund work on the preservation of these systems and then to assist in their degradation is concerning. See <https://dynamiclagoons.org/> Uralla Council as a project partner.

Sincerely,

Adjunct Professor  
School of Environmental & Rural Science  
University of New England, Armidale NSW  
[https://www.researchgate.net/profile/John\\_Hunter25](https://www.researchgate.net/profile/John_Hunter25)



**Kate Blackwood**

**From:** u.au>  
**Sent:** Tuesday, 19 December 2023 10:58 AM  
**To:** Council  
**Cc:**  
**Subject:** Ecological concerns re: DA-76-2023  
**Attachments:** Saunders et al 2021 EPBC Act.pdf; Brinkhoff et al 2022 remote sensing lagoons.pdf

Dear Council,

RE: DA-76-2023 58 & 62 Munday Lane, Saumarez Ponds

Saumarez Lagoon is located within Lot 1 on the associated Site Plan. This Lagoon is an ephemeral wetland that is designated as an Upland Wetland of the Northern Tablelands region. This ecosystem type is a Threatened Ecological Community (TEC) that is protected under both State (BCA Act) and Commonwealth (EPBC Act) legislation. A major threat to this TEC is development that affects the hydrology and drainage of a lagoon and/or its local catchment. Saumarez Lagoon has a local catchment/drainage area surrounding the lagoon bed, which is currently included in the proposed development area.

We are concerned that the proposed development will directly affect the hydrology of Saumarez Lagoon, and there appear to be no accommodations proposed to prevent ecological damage to the protected lagoon at this location. Any development that occurs on this site must ensure that drainage and hydrology into the TEC are not affected and that the ecological values of the lagoon are not diminished.

Our Dynamic Lagoons team at University of New England has combined 40+ years of ecological expertise, including direct experience working with the Upland Wetlands TEC, including Saumarez Lagoon. In particular, Dr John Hunter has specific expertise with mapping and surveying all lagoons on the Tablelands, including Saumarez, and can represent the team's expertise if further comment is needed. I have attached our most recent published research regarding the ecological and hydrological importance of these wetlands.

Regards,

on behalf of Dynamic Lagoons leadership team <https://dynamiclagoons.org/>



**Note: I currently work two full-time jobs: Co-parent of a toddler + Senior Lecturer. Your understanding is appreciated.**

BA, BEnvSc (Hons), PhD

<https://orcid.org/0000-0003-0645-8277>



### NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

|   |   |
|---|---|
| <b>Application number</b>                   | DA-76-2023<br>PAN-385835                              |
| <b>Applicant</b>                            | Ambrose Hallman<br>25 AILSA CRESCENT ARMIDALE 2350    |
| <b>Description of development</b>           | Subdivision (Boundary Realignment)                    |
| <b>Property</b>                             | 58 MUNDAYS LANE SAUMAREZ PONDS 2350<br>326/-/DP755811 |
|   | 62 MUNDAYS LANE SAUMAREZ PONDS 2350<br>1/-/DP618239   |
| <b>Determination</b>                        | Approved<br>Consent Authority - Council               |
| <b>Date of determination</b>                | 27/02/24  |
| <b>Date from which the consent operates</b> | 27/02/24  |
| <b>Date on which the consent lapses</b>     | 27/02/29  |

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

#### Right of appeal / review of determination

If you are dissatisfied with this determination:

#### Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

**Rights to appeal**

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.



Simon Vivers  
Interim Manager Development & Planning  
Person on behalf of the consent authority

### Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

### General Conditions

|   |  |                 |  |              |
|---|--|-----------------|--|--------------|
| 1 | <b>Approved plans and supporting documentation</b>   |                 |  |              |
|   | Development must be carried out in accordance with the following approved plan, except where the conditions of this consent expressly require otherwise.   |                 |  |              |
|   | Approved plan  |                 |  |              |
|   | Plan/Sheet number  | Revision number | Drawn by   | Date of plan |
|   | 1 of 1   | -               | Croft Surveying & Mapping<br>Job ref:<br>McCorriston_B | 15-09-2023   |
| 2 | In the event of any inconsistency with the approved plan and a condition of this consent, the condition prevails.  |                 |  |              |
|   | <b>Condition reason:</b> To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.   |                 |  |              |
|   | <b>Fencing &amp; Associated Site Preparation</b>   |                 |  |              |
|   | No tree removal (other than noxious species removal) or mechanical clearing below the soil surface associated with any proposed new boundary fencing is authorised by this consent.  |                 |  |              |
|   | ADVISORY NOTE: This condition has been imposed to ensure that site preparation for any new fencing does not impact on waterways or Samaurez Lagoon. No condition is required for fencing type, given this is regulated by relevant Environmental Planning Instruments. |                 |  |              |
|   | <b>Condition reason:</b> To prevent any debris or silt laden run off to waterways and Saumarez Lagoon.   |                 |  |              |

### Subdivision Work

#### Before issue of a subdivision works certificate

No additional conditions have been applied to this stage of development.

#### Before subdivision work commences

No additional conditions have been applied to this stage of development.

#### During subdivision work



|   |  |
|---|--|
|   | <p>While surveying or associated site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:</p> <ol style="list-style-type: none"> <li>1. the work in the area of the discovery must cease immediately;</li> <li>2. the following must be notified <ol style="list-style-type: none"> <li>1. for a relic – the Heritage Council; or</li> <li>2. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.</li> </ol> </li> </ol> <p>Site work may recommence at a time confirmed in writing by:</p> <ol style="list-style-type: none"> <li>1. for a relic – the Heritage Council; or</li> <li>2. for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.</li> </ol> <p><b>Condition reason:</b> To ensure the protection of objects of potential significance during works.</p> |
| 4 | <p><b>Erosion and Sediment Control</b></p> <p>Before any surveying or associated work commences, suitable erosion and sediment controls shall be in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).</p> <p>ADVISORY NOTE: This condition has been imposed for the avoidance of doubt, should the proposal require any minor earthworks for installing of survey pegs and the like.</p> <p><b>Condition reason:</b> To prevent any debris or silt laden run off to waterways and Saumarez Lagoon.</p>  |

#### Before issue of a subdivision certificate

|   |   |
|---|---|
| 5 | <p><b>Application for Subdivision Certificate</b></p> <p>An Application for a Subdivision Certificate is to be submitted via the NSW Planning Portal, with all relevant documentation and plans.</p> <p>Details of compliance with relevant consent conditions is to be included on the documentation submitted for a Subdivision Certificate for the subject lots, to ensure that the relevant consent requirements are addressed.</p> <p><b>Condition reason:</b> In the interests of proper planning and to ensure the development has complied with relevant conditions of consent.</p> |
|---|---|

#### Ongoing use for subdivision work

No additional conditions have been applied to this stage of development.

#### General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all

Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent. Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

### Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

**Approved plans and documents** means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

**AS** means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

**Certifier** means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

**Construction certificate** means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

**Council** means URALLA SHIRE COUNCIL.

**Court** means the Land and Environment Court of NSW.

**EPA** means the NSW Environment Protection Authority.

**EP&A Act** means the *Environmental Planning and Assessment Act 1979*.

**EP&A Regulation** means the *Environmental Planning and Assessment Regulation 2021*.

**Independent Planning Commission** means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

**Occupation certificate** means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

**Principal certifier** means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

**Site work** means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

**Stormwater drainage system** means all works and facilities relating to:

- the reuse of stormwater,
- the detention of stormwater,
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

**Strata certificate** means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

**Subdivision certificate** means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

**Subdivision work certificate** means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the EP&A Regulation.

**Sydney district or regional planning panel** means Northern Regional Planning Panel.

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**Local Land Services**

Mr Simon Vivers  
Uralla Shire Council  
32 Salisbury Street  
Uralla NSW 2358

8<sup>th</sup> February, 2024

---

Re: Application to Uralla Shire Council for a boundary realignment at 62 Munday's Lane, Armidale.

Dear Simon,

I am writing in an advisory capacity regarding Mr. Peter McCorriston's application for a boundary realignment on his property.

Saumarez Lagoon is an upland wetland, upland wetlands are only found on the New England Tablelands and the Monaro Plateau. These unique ecosystems are of national environmental importance, listed as Endangered Ecological Communities under the *Environment Protection and Biodiversity Conservation Act 1999*. Upland Wetlands support a range of threatened flora and fauna. Sumarez Lagoon serves as a critical habitat for a diverse range of bird species which rely on habitats like shallow marshes and flooded paddocks.

The Northern Tablelands Local Land Services has been actively involved in the conservation of upland wetlands over the last 7 years. Working directly with landholders to educate, value and preserve these ecosystems now and into the future. In my experience as the Project Lead, adequate protection and conservation of upland wetlands is increasingly more difficult across tenures.

Mr. McCorriston has demonstrated a strong commitment to environmental stewardship through his collaboration with Northern Tablelands Local Land Services on the protection and enhancement of Saumarez Lagoon. Consolidating the area under Mr. McCorriston's primary residential holding would greatly streamline engagement and management efforts into the future. This consolidation would facilitate more effective conservation practices and ensure better coordination in safeguarding the lagoon's ecological integrity.

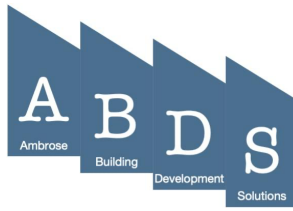
Should you require any further information or clarification, please do not hesitate to contact me.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "ASL", with a long horizontal flourish extending to the right.

Anya Salmon  
Senior Land Services Officer  
DRNSW Local Land Services Agency  
26-130 Taylor Street, Armidale NSW 2350  
0455 481 170  
[anya.salmon@lls.nsw.gov.au](mailto:anya.salmon@lls.nsw.gov.au)



Ambrose Building Development Solutions  
25 Ailsa Crescent  
Armidale NSW 2350

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[www.ambrosebds.com.au](http://www.ambrosebds.com.au)

12 March 2024

General Manager  
Uralla Shire Council  
PO Box 106  
URALLA NSW 2358

Dear Simon,

**Boundary Adjustment between 58 and 62 Mundays Lane DA-76-2023.**

Council is seeking further justification and future indent of the land owners to explain why the development application to adjust the boundary between Lot 326 DP 755811 (the Springs) and Lot 1 DP 618239 (Lagoon Homestead) has been proposed.

The current boundary arrangement has the Lagoon located wholly within Lot 326. The owners of Lot 326 also own Lot 1. The property owners also live in the dwelling constructed on Lot 1 (Lagoon Homestead). This dwelling was the original homestead built in 1888 and was part of a property that owned a significant amount of the surrounding land, including the Lagoon.

This development aims to adjust the boundary between the existing Lagoon and the homestead so that the two elements are on one parcel of land instead of two different titles as they are currently. This approach has been taken for several reasons, including financial, environmental, and management functionality.

The financial reasons include current and future superannuation considerations and taxation implications. The boundary adjustment will ensure the owners have financial flexibility and freedom and can better manage their financial future.

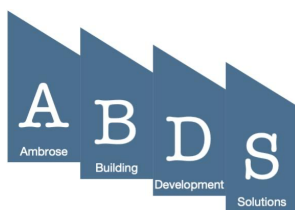
One option would be to consolidate the two allotments; however, this would reduce the property owners' future financial flexibility if necessary and is not considered a viable path forward.

The environmental reasons for the boundary adjustment are to link the lagoon to the homestead, hopefully ensuring the lagoon's continued environmental management and protection.

The owners have chosen the proposed new boundary to enable accurate fencing of the lagoon to ensure that when the lagoon is full, the highwater mark is wholly contained within the new proposed lot. The lagoon includes the peat moss surrounding it, and the impact of non-native animal species significantly degrades this ecosystem.

The new boundary allows the existing dwelling on the Lagoon lot to have a sufficient area for horses and other animals while preventing access to the lagoon and high water mark.

The owners have worked continuously with the University of New England and the Local Lands Services to educate, protect and implement management strategies to enhance and protect the lagoon. While the lagoon is not listed on the Biodiversity Values Map, the lagoon has existing environmental protection, being an Endangered Ecological Community under both the NSW Biodiversity Conservation Act and the Commonwealth Environmental Protection Biodiversity Conservation Act. These listings ensure the lagoon is protected in perpetuity from future development, including any small lot subdivision potential.



Ambrose Building Development Solutions  
25 Ailsa Crescent  
Armidale NSW 2350

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[www.ambrosebds.com.au](http://www.ambrosebds.com.au)

The simple fact is this proposed boundary adjustment will enable the property owners to continue the conservation and protection of the endangered ecosystem. Should the proposed boundary adjustment not be supported by Council, future financial pressures and eventual retirement would result in the Lagoon lot being sold and the link between the original homestead and lagoon being lost. Suppose this potential opportunity is lost, and the current owners sell the lagoon. In that case, nothing prevents the new property owners from undertaking extensive agriculture on the lot, as this is permitted without development consent under Uralla Local Environmental Plan 2012.

Currently, Council can approve the boundary adjustment, facilitating the conservation of the lagoon and forever linking the homestead house to the lagoon. This is because the new lot is unable to be further subdivided under any clauses of Uralla Local Environmental Plan 2012, including 4.1A.

As mentioned previously, the proposed allotment boundary has been chosen to contain the entirety of the lagoon's high water mark. This aims to ensure the lagoon is wholly contained within the new property, as recommended by Local Land Services. This layout ensures the new larger lot includes the homestead, the lagoon's high water mark, and the historic woolshed while creating the largest possible residual lot to be a functional property that is not part of the lagoon ecosystem.

One option considered was to follow the highwater mark; however, this would result in a fence line that is not straight, resulting in additional costs of installation and maintenance. It may also result in tight angles of fencing.

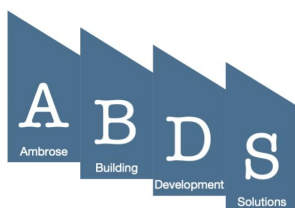
As stated previously, the objective of this development is to have the entire lagoon ecosystem on the same lot as the original homestead lot. The zoning of this land would appear to be the Council's historic approach to conserving the lagoon by establishing a minimum lot size that would prevent future subdivision of the lagoon and enable the creation of new 2 ha allotments, like the majority of the surrounding land.

This development can only occur because the property owners own the adjoining homestead lot. In this case, the existing boundary is moving to a better location to conserve the lagoon and its surroundings. This proposed subdivision is distinctive because part of the land is unique due to the wetland. The proposal can achieve more significant environmental objectives without C3 Environmental Management zoning or other conservation protection. This subdivision also provides the opportunity to retain the lagoon with the original homestead and, if required, for funding conservation, the sale of the 6 ha lot, which has an existing dwelling with no increased development potential. This proposed boundary adjustment will not create an undesirable precedence for Council due to the particular circumstances of this case being the original homestead and lagoon, the desire of the current owners to combine the two on the same lot, both existing allotments having a dwelling erected on the lot, the significant area the lagoon requires to adequately ensure it conserved which then results in a residue 6 ha allotment.

Under Clause 4.2C(4) Council is required to consider the development against the following provisions.

- (a) the existing uses and approved uses of other land in the vicinity of the subdivision,  
The surrounding land uses are predominantly residential small holdings ranging from 2 ha to 17.9 ha. The subject site is located within the large lot residential suburb of Invergowrie. This boundary adjustment will not result in additional dwelling entitlements and will match the land use layout of the surrounding land in the vicinity. Council has recently considered a large lot residential subdivision, which has created several new lots in the area. This proposed development does not create additional lots or enable future subdivision potential, so this proposal will not alter the existing lot density.

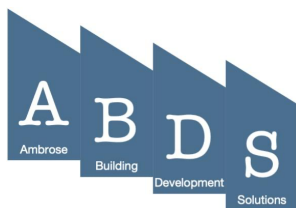




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[www.ambrosebds.com.au](http://www.ambrosebds.com.au)

- (b) whether or not the subdivision is likely to have a significant impact on land uses that are likely to be preferred and the predominant land uses in the vicinity of the development,  
This development is not likely to have any significant impact on the current or preferred land uses in the vicinity, which are either agricultural or residential. This proposed development matches these surrounding land uses and will also provide conservation, which is an excellent outcome for the landowners, the surrounding properties, and the community as a whole.
- (c) whether or not the subdivision is likely to be incompatible with a use referred to in paragraph (a) or (b),  
The subdivision is not incompatible with the surrounding land uses and lot sizes. This enabling clause of the LEP is focused on the compatibility of the boundary adjustment with the surrounding land uses rather than the minimum lot size applicable to the subject property. This subdivision will not be incompatible with the surrounding allotments, specifically the 2 ha large lot residential allotments, subdivision layout and the predominantly rural residential land use. The proposed boundary adjustment is not incompatible with the rural residential nature of the locality.
- (d) whether or not the subdivision is likely to be incompatible with land use in any adjoining zone.  
A dwelling is erected on each existing lot, meaning this development will not increase any development potential or create any new dwelling entitlements.  
The surrounding zoning is RU2 Rural Landscape and the R5 Large Lot Residential. The subject property shares only 10% of the boundary with the RU2 zone, while the other 90% adjoins the R5 zone. The lot sizes proposed are not incompatible with the existing and desired subdivision lot sizes. The existing area of the lagoon lot is already below the minimum lot size for the RU2 Rural Landscape, and this is the reason Clause 4.2C of the ULEP12 was drafted to allow boundaries between lots under the minimum lot size to occur to enable better land utilisation and environmental outcomes.
- (e) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d),  
This proposed development does not present any incompatibilities. The proposed boundary adjustment does not create any new dwelling entitlements or development potential. Once the development is completed, the land use will be exactly the same as the current land uses prior to the boundary adjustment, with a single dwelling on each lot. This land use of a single dwelling on the lot is the same as the majority of the lots and settlement patterns surrounding the subject property.
- (f) whether or not the subdivision is appropriate in regards to the natural and physical constraints affecting the land.  
The lagoon's existence on the subject property is the primary natural and physical constraint that affects it. This natural constraint prevents any future development intensification and is why the property owner desires to have the original homestead and lagoon on the same lot.  
The layout of the new proposed boundary is based on the recommendations of the local land services, the existing infrastructure, the location of the high water mark surrounding the lagoon, and the normal practice of having straight boundaries to facilitate easy fencing and maintenance.  
The lagoons' very existence on the property and the historical detachment of the original homestead are the reasons for seeking development consent to amalgamate the two lots together.



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- (g) whether or not the subdivision is likely to have an adverse impact on the environmental values or agricultural viability of the land.  
Due to their size and the lagoons' existence, neither of the subject lots are agriculturally viable. The development aims to conserve the lagoon better by linking the original homestead and the lagoon together on the same lot. The proposed development should only assist with improving the lagoon's environmental values. There are not considered to be any adverse impacts resulting from the proposed development.

Should you have any questions please contact me on the number above.

Yours truly,

Ambrose Hallman

## Development Assessment Report

### EP&A Act 1979 – 4.15 Evaluation

**DA Number:** DA-76-2023 **Council:** Uralla Shire Council

**Location:** 58 Mundays Lane SAUMAREZ PONDS, 62 Mundays Lane SAUMAREZ PONDS

**Development Description:** Subdivision (Boundary Realignment)

**Title Details:** Lot: 326 DP: 755811, Lot: 1 DP: 618239

### Property Details/History

#### Site Characteristics:

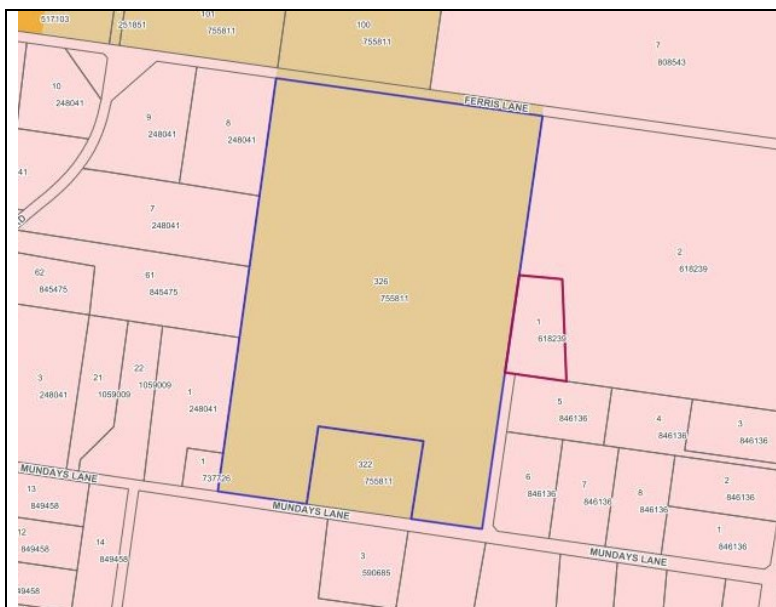
The application relates to 58 and 62 Mundays Lane, Saumarez Ponds, also described as Lot 326 DP 755811 and Lot 1 DP618239.

A summary of site characteristics are included below:

| Existing |           |  |
|----------|-----------|--|
| LEP Zone | Size (Ha) | Key/Relevant Features:   |
| RU2      | 39.2ha    | Identified as "The Springs"<br>Contains Saumarez Lagoon and existing dwelling<br>"C" shaped Lot, surrounding Saumarez Ponds<br>Recreation Reserve<br>Fronts Mundays Lane and Ferris Lane |
| R5       | 1.98ha    | Identified as "Lagoon Homestead"<br>Contains existing dwelling circa 1880<br>Access from Mundays Lane (no frontage, lawful access<br>via road reserve)                                   |

Neither lot is subject to any mapped LEP constraints (statutory heritage designations etc.), however Saumarez Lagoon is a significant wetland.

**Figure 1: Zoning Map**

**History:**

No planning history relevant to the assessment of the application.

**Owners Consent:**

Consent provided. Both lots are under same ownership.

**Supporting Documents:**

- Statement of Environmental Effects
- Plan of Development
- Applicants Response to Submissions
- Letter of Support from Local Land Services
- Letter of further Justification from Applicant

**Proposal**
**Summary:**

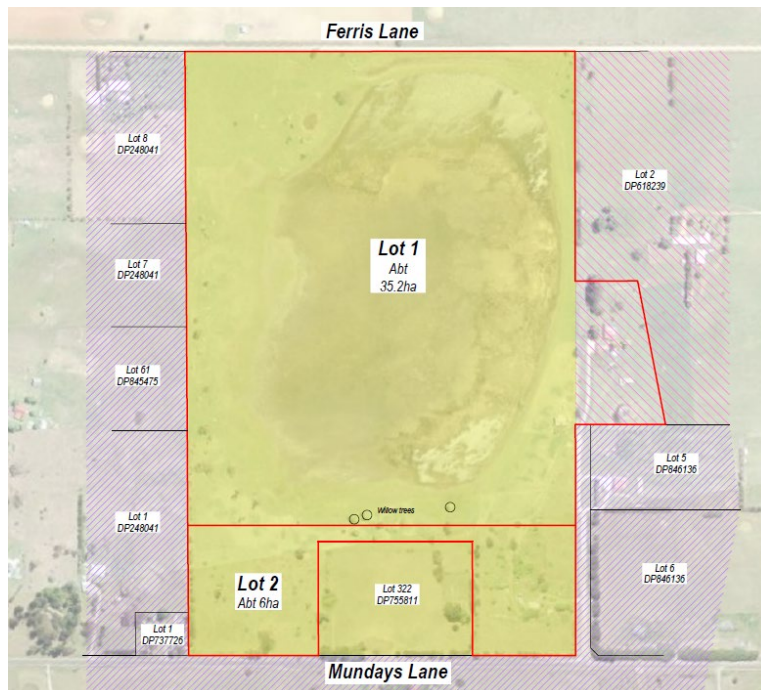
The application seeks approval for a Subdivision (Boundary Realignment: 2 Lots into 2 Lots). The proposal would form the following layout & characteristics:

| Proposed |           |  |
|----------|-----------|--|
| LEP Zone | Size (Ha) | Key/Relevant Features:   |
| RU2 & R5 | 35.2      | Would contain Saumarez Lagoon and "Lagoon Homestead" at 62 Mundays Lane<br>Split zoning  |
| RU2      | 6ha       | Would contain single dwelling which is currently within "The Springs" at 58 Mundays Lane |

|  |  |  |
|--|--|--|
|  |  | Single lot, however in two clear parts, joined by 200m battle-axe handle characteristic. |
|--|--|--|

The proposal would have the following layout:

Figure 2: Plan of Development



The proposal would not require any construction work or other ancillary permits.

Referrals:

The nature of the proposal did not warrant any internal or external referrals (either statutory or non-statutory).

Revisions:

None requested.

Notification:

The application was not required to be notified in accordance with Councils Community Participation Plan or Councils Development Control Plan. Notwithstanding, Councils officers elected to notify the application, owing to proximity to Saumarez Lagoon.

Three (3) responses were received in objection to the proposal, and are detailed later in this report. It is noted that Council sought clarification to ensure that any submissions received were not intended in relation to DA-57-2023. Councils officer is satisfied they relate to the proposal at hand.

### Assessment

Clause 4.15 of EP&A Act 1979

Pursuant to Clause 4.15, in determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development, the subject of the development application. These are include below.

| 4.15(1)(a) the provisions of—<br>(i) any environmental planning instrument<br><b>State Environmental Planning Polices</b>                           |  |   |
|---|--|---|
| <u>State Environmental Planning Policy (Biodiversity &amp; Conservation) 2021</u>   |  |   |
| Clause  | Title  | Comment   |
| <b>Chapter 3 – Koala Habitat Protection 2020</b>  |  |   |
| Part 3.2  | Development control of koala habitats  | This chapter applies to the RU2 land subject of the application. Noting that the proposal is for a realignment only and in itself would not cause any development intensification, a Koala Habitat Assessment has not been requested. Councils officer is satisfied that granting of consent to the proposal would not be contrary to considerations under Part 3.2 |
| <b>Chapter 4 – Koala Habitat Protection 2021</b>  |  |   |
| 4.9   | Development assessment process—no approved koala plan of management for land | This chapter applies to the R5 land subject of the application. Councils officer is satisfied that granting of consent to the proposal is consistent with Clause 4.9, given the proposal would have low or no impact on koalas or Koala Habitat.  |
| <u>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</u><br><u>Part 2, Division 1, Subdivision 38 (Subdivision)</u> |  |   |
| A development application has been triggered given the proposal is outside the limits of a ‘minor change’ to the size of the lots.                  |  |   |
| <u>State Environmental Planning Policy (Resilience and Hazards) 2021</u><br>Chapter 4   |  |   |
| Clause 4.6 - The subject land is not identified as being potentially contaminated and is suitable for the proposal.                                 |  |   |
| <u>State Environmental Planning Policy (Primary Production) 2021</u><br>Schedule 4, Part 2 Subdivision of, or dwellings on, land in certain zones   |  |   |
| The proposal is for a boundary realignment only and would not give rise to any land use conflict between zones or existing uses.                    |  |   |
| 4.15(1)(a) the provisions of—<br>(i) any environmental planning instrument<br><b>Uralla Local Environmental Plan 2012</b>                           |  |   |

The proposal is consistent with the LEP having regard to the following:

| Clause                                 | Comment   |
|--|---|
| 2.3 Zone objectives and Land Use Table | The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. |

|   |   |
|---|---|
|   | The proposal is not contrary to the zone objectives for either RU2 or R5 land.  |
| 2.6 Subdivision—consent requirements  | Noted – consent has been applied for through this application.  |
| 4.1 Minimum subdivision lot size  | <p>The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> <li><i>(a) to ensure that lot sizes are compatible with local environmental values, constraints and permissible uses,</i></li> <li><i>(b) to facilitate the efficient use of land and its resources for residential and other human purposes,</i></li> <li><i>(c) to minimise potential land use conflicts,</i></li> <li><i>(d) to ensure rural lands are not fragmented in a manner that threatens their future use for agricultural production.</i></li> </ul> <p>Given both lots are below the minimum lot size (25ha and 400ha respectively) and no new lot is being created, the proposal is not contrary to these objectives. Notwithstanding, Clause 4.2C may override this clause.</p>  |
| 4.2C Boundary changes between lots in certain rural, residential and conservation zones | <p>The objective of this clause is to permit the boundary between 2 or more lots to be altered in certain circumstances to give landowners a greater opportunity to achieve the objectives for development in a zone.</p> <p>Clause 4.2(C)(3) states:</p> <ul style="list-style-type: none"> <li><i>(3) Despite clause 4.1 (3), development consent may be granted to the subdivision of 2 or more adjoining lots comprised in land to which this clause applies if the subdivision will not result in any of the following—</i></li> <li><i>(a) an increase in the number of lots,</i></li> <li><i>(b) an increase in the number of dwellings or dual occupancies on (or dwellings or dual occupancies that may be erected on) any of the lots.</i></li> </ul> <p>Clause 4.2(C)(4) goes on to state:</p> <ul style="list-style-type: none"> <li><i>(4) Before determining a development application for the subdivision of land under this clause, the consent authority must consider the following—</i></li> <li><i>(a) the existing uses and approved uses of other land in the vicinity of the subdivision,</i></li> <li><i>(b) whether or not the subdivision is likely to have a significant impact on land uses that are likely to be preferred and the predominant land uses in the vicinity of the development,</i></li> <li><i>(c) whether or not the subdivision is likely to be incompatible with a use referred to in paragraph (a) or (b),</i></li> <li><i>(d) whether or not the subdivision is likely to be incompatible with a use of land in any adjoining zone,</i></li> <li><i>(e) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d),</i></li> <li><i>(f) whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,</i></li> <li><i>(g) whether or not the subdivision is likely to have an adverse impact on the environmental values or agricultural viability of the land.</i></li> </ul> |



|   |   |  |  |   |   |
|---|---|--|--|---|---|
|   | <p>The proposal is eligible for application of the clause pursuant to 4.2C(2) &amp; (3), given each zone is listed and the proposal causes no increase in the:</p> <ul style="list-style-type: none"> <li>• number of lots; or</li> <li>• the opportunity for an increase in the number of dwellings on each resulting lot (it is noted that Dual Occupancy is permitted with consent on each lot, regardless of the proposal).</li> </ul> <p>The objective of the clause is to “... <i>permit the boundary between 2 or more lots to be altered in certain circumstances to landowners a greater opportunity to achieve the objectives for development in a zone.</i>” The clause goes on to prescribe certain matters which the consent authority must consider before determining an application under the Clause.</p> <p>In terms of the meeting objectives, the proposal constitutes a unique circumstance, namely through the lagoon occupying the balance of the lot (areas clear of the approximate high water mark are limited to around 25% or 10ha) of the lot. The zone objectives for RU2 land are as follows:</p> <ul style="list-style-type: none"> <li>• <i>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</i></li> <li>• <i>To maintain the rural landscape character of the land.</i></li> <li>• <i>To provide for a range of compatible land uses, including extensive agriculture.</i></li> </ul> <p>The proposal itself does not further the RU2 objectives of the land, however nor is it contrary. The associated large minimum lot size provides some protection for the land, however the zoning itself is a broad tool which does not necessarily recognise the special lagoon characteristics. The lagoon part is tantamount to a C2 ‘Environmental Conservation’ zone, and the proposal would more comfortably further these objectives:</p> <ul style="list-style-type: none"> <li>• <i>To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.</i></li> <li>• <i>To prevent development that could destroy, damage or otherwise have an adverse effect on those values.</i></li> </ul> <p>In addition, the proposal demonstrates acceptability against matters prescribed under Clause 4.2C(4)</p> <table border="1"> <tr> <td data-bbox="491 1590 896 1697"><i>(a) the existing uses and approved uses of other land in the vicinity of the subdivision,</i></td><td data-bbox="896 1590 1337 1697">The proposal would not conflict with existing or approved uses of land in vicinity of the subdivision.</td></tr> <tr> <td data-bbox="491 1697 896 1897"><i>(b) whether or not the subdivision is likely to have a significant impact on land uses that are likely to be preferred and the predominant land uses in the vicinity of the development,</i></td><td data-bbox="896 1697 1337 1897">Surrounding lands are zoned R5 at east, west and southern sides and RU2 to the north. The proposal would not cause any impact on preferred and predominant land uses associated with these lands.</td></tr> </table> | <i>(a) the existing uses and approved uses of other land in the vicinity of the subdivision,</i> | The proposal would not conflict with existing or approved uses of land in vicinity of the subdivision. | <i>(b) whether or not the subdivision is likely to have a significant impact on land uses that are likely to be preferred and the predominant land uses in the vicinity of the development,</i> | Surrounding lands are zoned R5 at east, west and southern sides and RU2 to the north. The proposal would not cause any impact on preferred and predominant land uses associated with these lands. |
| <i>(a) the existing uses and approved uses of other land in the vicinity of the subdivision,</i>  | The proposal would not conflict with existing or approved uses of land in vicinity of the subdivision.  |  |  |   |   |
| <i>(b) whether or not the subdivision is likely to have a significant impact on land uses that are likely to be preferred and the predominant land uses in the vicinity of the development,</i> | Surrounding lands are zoned R5 at east, west and southern sides and RU2 to the north. The proposal would not cause any impact on preferred and predominant land uses associated with these lands.   |  |  |   |   |

|  |  |   |
|--|--|---|
|  | <i>(c) whether or not the subdivision is likely to be incompatible with a use referred to in paragraph (a) or (b),</i>                           | No matters of incompatibly are envisaged with regards to (a) and (b).   |
|  | <i>(d) whether or not the subdivision is likely to be incompatible with a use of land in any adjoining zone,</i>                                 | The proposal would not be incompatible with land in adjoining zones. Again, it is noted that surrounding lands are largely R5   |
|  | <i>(e) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d),</i>                  | No measures are required to be considered.  |
|  | <i>(f) whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,</i>               | The proposal is considered to allow for improved and ongoing management of the lagoon land.   |
|  | <i>(g) whether or not the subdivision is likely to have an adverse impact on the environmental values or agricultural viability of the land.</i> | The proposal is considered to support the improvement of the environmental values of the lagoon land. It is not considered that a material loss of agricultural viability would occur as a result of the proposal, again given the affected lot is predominately made up of the lagoon footprint. |
| <p>In carrying out the above assessment, the applicant provided Council with additional information to justify the proposal. Key comments from the applicant as follows:</p> <ul style="list-style-type: none"> <li>• The property owners (owns both lots) reside in the original 'Lagoon Homestead'. The proposal would reconnect a linkage between the lagoon and this homestead.</li> <li>• Amalgamation of lots has been considered, but is not a financially viable option/imposition.</li> <li>• The owners have worked with the University of New England and the Local Lands Services to educate, protect and implement management strategies to enhance and ultimately protect the Lagoon (a letter of support was received from Northern Tablelands Local Land Services, and is attached to this report).</li> </ul> |  |   |

|   |  |
|---|--|
|   | <ul style="list-style-type: none"> <li>The owners consider and have demonstrated that the lagoon is better protected by being attached to the Lagoon Homestead, rather than the existing dwelling at 58 Munday Lane (which is of a lesser scale and grandeur) – there is a potential likelihood that it may be purchased as an attractive hobby farm, and partly by virtue of the RU2 zoning protected from regular rural pursuits (keeping of horses, cattle grazing lagoon and the like).</li> <li>The applicant also justifies the lot layout due to the high watermark, which Council's officer is reasonably satisfied with.</li> </ul> <p>The above is a summary only, and the complete further justification is attached to the report.</p> <p>The proposal would create a 'split zone' for the lagoon balance lot, this is undesirable but is not a significant concern in this instance. By virtue of the land in both zones being below the minimum lot size, it would be difficult for the Lagoon Homestead to be 'subdivided off' the lagoon land in future (and would require Development Consent [a DA]) in any instance). Council's officer has suggested a restriction to ensure no subdivision may occur on this land, however ultimately this is not a reasonable condition to propose, and the minimum lot size provisions are a satisfactory assurance.</p> <p>Similarly, while the proposal will create a 6ha lot of limited rural viability and of typical R5 depth characteristics, it is not reasonable to speculate that the excision of the land furthers steps towards a 'rezoning' to R5 land, given the application is acceptable in its own right, through meeting the Clause 4.2C. In this regard, the proposed new boundary also aligns with sufficient high water mark perimeter access.</p> <p>While it appears that Clause 4.1 and 4.2C may be in conflict, Clause 4.2C is the appropriate mechanism to be applied.</p> |
| 5.10 Heritage conservation  | Although Saumarez Lagoon is not mapped as a statutory heritage item, Council's officer notes its significance. Considered against Clause 5.10(4), the proposal would not have a material impact on the heritage significance of the site.  |
| 6.1 Earthworks  | No earthworks are required to facilitate the proposal.   |
| 6.4 Essential services  | By virtue of being a realignment only, the proposal would not create any change to existing essential services to each lot.  |
| <p>4.15(1)(a) the provisions of—</p> <p>(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)</p> <p><b>Draft Environmental Planning Instruments</b></p> |  |
| There are no proposed planning instruments which are relevant to the assessment of the proposal   |  |
| <p>4.15(1)(a) the provisions of—</p> <p>(iii) any development control plan</p> <p><b>Uralla Development Control Plan 2012</b></p>   |  |

The proposal is not a form of development which is overly regulated by Councils DCP. Notwithstanding, the proposal is consistent with the DCP having regard to the following:

| Chapter                | Comment   |
|------------------------|---|
| 2 – Subdivision        | The chapter does not provide any specific or relevant guidance with regards to a boundary realignment.  |
| 13 – Notification      | The chapter provides that minor boundary realignments do not require notification. Notwithstanding, Council has chosen to notify this proposal due to proximity to the Saumarez Lagoon.       |
| 14 – Contaminated Land | The proposal is consistent with this chapter, in that the potential for the land to be contaminated has been considered as part of this assessment. See earlier comments under relevant SEPP. |

(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

#### **Planning Agreements**

No planning agreement has been offered or entered into relating to the site.

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),

#### **Regulations**

The regulations (clauses 61 – 64) do prescribe any matters which are relevant to the proposed development.

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

#### **Impacts**

##### Impacts on the Natural Environment

The proposed development is for a boundary realignment only, and would not cause any material impact on the natural environment. It is important to reiterate that the proposal would not require ancillary earthworks, limiting the opportunity for sediment or other direct or indirect impacts on Saumarez Lagoon or waterways generally.

##### Impacts on the Built Environment

The proposed development is for a boundary realignment only, and would not cause any material impact on the built environment. There would no changes to the use or number of existing dwellings as a result of this proposal.

##### Social & Economic Impacts

The proposal will not cause any material social or economic impacts.

(c) the suitability of the site for the development

The site is conducive to the proposed realignment, and is not affected by any constraints which would preclude the development.

(d) any submissions made in accordance with this Act or the regulations

Was this application notified? Yes  
 Is this application an advertised development application? No  
 Were there any written submissions received? Yes  
 If Yes, what was the number of submissions received? Three (3)

| Issue   | Comment  | Resolved? |
|---|--|-----------|
| Riparian Drainage (Saumarez Lagoon)<br>- Sensitivity of Lagoon to hydrology changes<br><br><i>Any development that occurs must ensure drainage and hydrology are not affected and values of the lagoon are not diminished</i><br><br><i>Lagoon reliant Lagoon reliant on runoff to maintain ecological integrity</i><br><br><i>Lagoon highly intact and preserved</i><br>- No accommodations within application to prevent ecological damage<br>- Cumulative impact | The ecologically sensitive nature of the lagoon is noted, however the proposed development does not represent an intensification of the existing land.<br><br>Any future development within each lot would require consent, in which case Council may impose reasonable conditions to ensure minimal harm would occur. Having said that, future development on each lot would largely take an ancillary form, by virtue of planning constraints such as minimum lot size protections.<br><br>Noting the above comments and the lack of nexus of the proposal with the causing of environmental harm, it is not necessary to address matters of cumulative impact or reasonable to impose particular amelioration conditions through conditions of consent. | Y         |
| (e) the public interest.  |  |           |

The proposal satisfies relevant planning controls and inherently not be adverse to the public interest.

### Assessing Officer General Comment

#### ASSESSMENT – KEY ISSUES

No issues warranting further detailed consideration have been identified.

### Recommendation

No significant adverse impacts are known or expected on the natural, social or economic environment as a result of approving the application. In that context it is recommended that Development Application DA-76-2023 for a Boundary Realignment between Lot 326 DP755811 and Lot 1 DP618239 at

58 and 62 Munday Lane, Saumarez Ponds, be granted subject to the attached conditions.

### **Conclusion**






The proposed development is permissible with the consent of Council. The proposed development complies with the relevant aims, objectives and provisions of the Uralla Local Environmental Plan 2012 and Uralla Development Control Plan 2011. A Section 4.15 assessment of the development indicates that the development is acceptable in this instance. Attached is a draft Notice of Approval outlining conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

**14.3 Development Application - DA-56-2022 - part Change of Use to Dwelling and Alterations and Additions - 132 Bridge Street URALLA**

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|                       |  |
|-----------------------|--|
| <b>Department:</b>    | <b>Infrastructure &amp; Development</b>    |
| <b>Prepared By:</b>   | <b>Acting Manager Planning Development</b> |
| <b>Authorised By:</b> | <b>General Manager</b>                     |
| <b>Reference:</b>     | UINT/23/17280                              |

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|                     |   |
|---------------------|---|
| <b>Attachments:</b> | 1. Submission (redacted) <a href="#">↓</a>                                       |
|                     | 2. Section 4.15 Assessment Report <a href="#">↓</a>                              |
|                     | 3. Applicant Further Justification & Response to Submission <a href="#">↓</a>  |
|                     | 4. Plans of Development <a href="#">↓</a>                                        |
|                     | 5. Draft Notice of Determination <a href="#">↓</a>                               |

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**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

|                  |   |
|------------------|---|
| <b>Goal:</b>     | 3. We are good custodians of our environment                            |
| <b>Strategy:</b> | 3.2. Maintain a healthy balance between development and the environment |

---

**NOTE TO COUNCILLORS**

In accordance with the provisions of S375A of the Local Government Act 1993, a Division is to be called whenever a motion for a planning decision is put to the meeting, for the purpose of recording voting on planning matters.

Development applications require a decision of Council which MUST be either:

- Approval with conditions (to be prepared by the Manager Development and Planning) OR
- Refusal with reasons.

**SUMMARY**

The Development Application (ref: DA-56-2022) seeks approval for a change of use from a commercial premises (former saddlery) to a dwelling with alterations and additions to the existing building comprising an attached car garage at the front and open sided skillion-type extension at the rear.

The development site is lot 2 DP 17565, also identified as 132 Bridge Street, Uralla NSW 2358. The land is zoned R1 General Residential under the Uralla LEP 2012 and has a total area of 956sqm.

Key steps within the assessment process are included below:

- The proposal was neighbour notified from 12 October 2022 to 28 October 2022 and one submission was received objecting to the development.
- Additional information was provided by the applicant on 15 August 2023, including an updated set of plans showing the dwelling, amenities (toilet & laundry) and BASIX certificate.
- On 13 October 2023, Council sought additional information from the proponent, including an amended set of architectural plans demonstrating compliance with the floor area and private open space requirements for outbuildings (sheds) under the Uralla DCP 2011. No response was received. The development application was proposed to be included on Council's Agenda for its December



Ordinary Meeting. Following a site inspection by Councillors and senior officers, the applicant elected to provide amended plans, and the decision was deferred to a later meeting.

- Revised plans were submitted to Council on 14 February 2024. The proposal is now considered acceptable. As part of the Development Application process, the original submitter has been provided with a copy of the amended plans, and has upheld their submission.

The application has been referred to the Council for determination as one submission objecting to the proposal was received. An assessment of the proposal under section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act) concludes that within the limits of the matters for consideration, the proposed development, as amended, achieves the objectives of the R1 General Residential zone on balance, and is not contrary to the provisions of the Uralla Development Control Plan 2012.

### RECOMMENDATION

That Council approves the Development Application (ref: DA-56-2022) for a part Change of Use to Dwelling and Alterations and Additions at Lot 2 DP 17565, land also known as 132 Bridge Street URALLA, subject to the conditions of consent in the attached Notice of Determination.

### REPORT

The proposal relates to the former Mackellar Saddlery building (commercial use), which ceased operation around 2005. Its layout can be broadly summarised as consisting of a retail front component together with a 'back-of-house' workshop/production area.

In terms of the building form, it is constructed of brick, and with two dominant gable roof forms (narrower at front, wider at rear). A flat roofed width part rear projection and detached outbuilding (at the rear) are also included on the site.

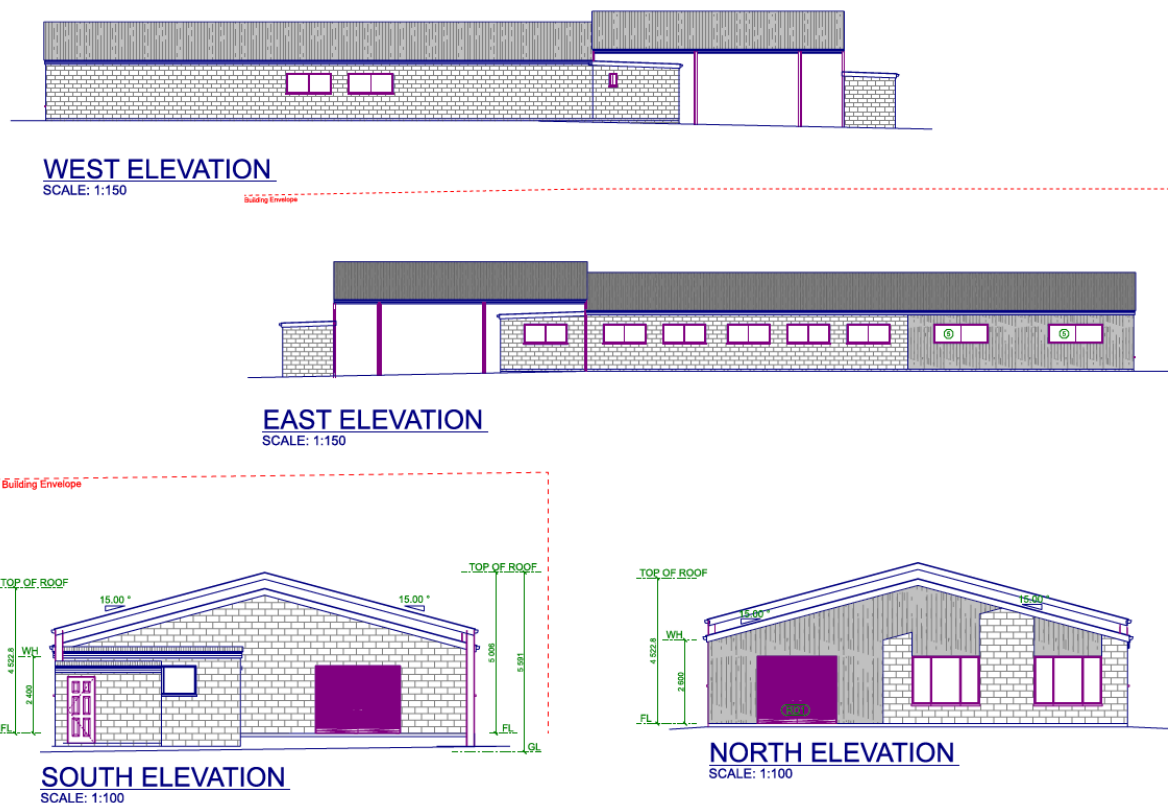
The current use of the building is difficult to characterise: at face value, the use may appear to align with 'storage premises' pursuant to the LEP 2012, however Councils officer is satisfied that despite occupying the footprint of the existing building and curtilage, the use occurring is not genuinely commercial (meaning the above definition cannot be applied). *In this regard, it is noted that the submitted objection describes the land use as light industry, through an affidavit.*

The proposal seeks approval for conversion of part of the building to a studio-style dwelling (1 bedroom), together with Alterations and Additions, included in summary as follows:

- Construction of a garage within the side eastern side return of the building. The garage works would require raising of the roofline to match the rear gable, together with associated front elevation fenestration works. This work would not cause any change to overall height or setbacks of the building.
- Construction of a rear skillion style, open sided shed extension. This extension would have:
  - A footprint of approximately 146m<sup>2</sup> (sitting over the 24m<sup>2</sup> residential dwelling part).
  - Side setbacks of 2.7m and 3.22m (level with host building)
  - Rear setback of 6.8m
  - Maximum height of approximately 5.5m, sloping to sides (gable-style roof).

The proposed development with the LEP zoning map is shown below:

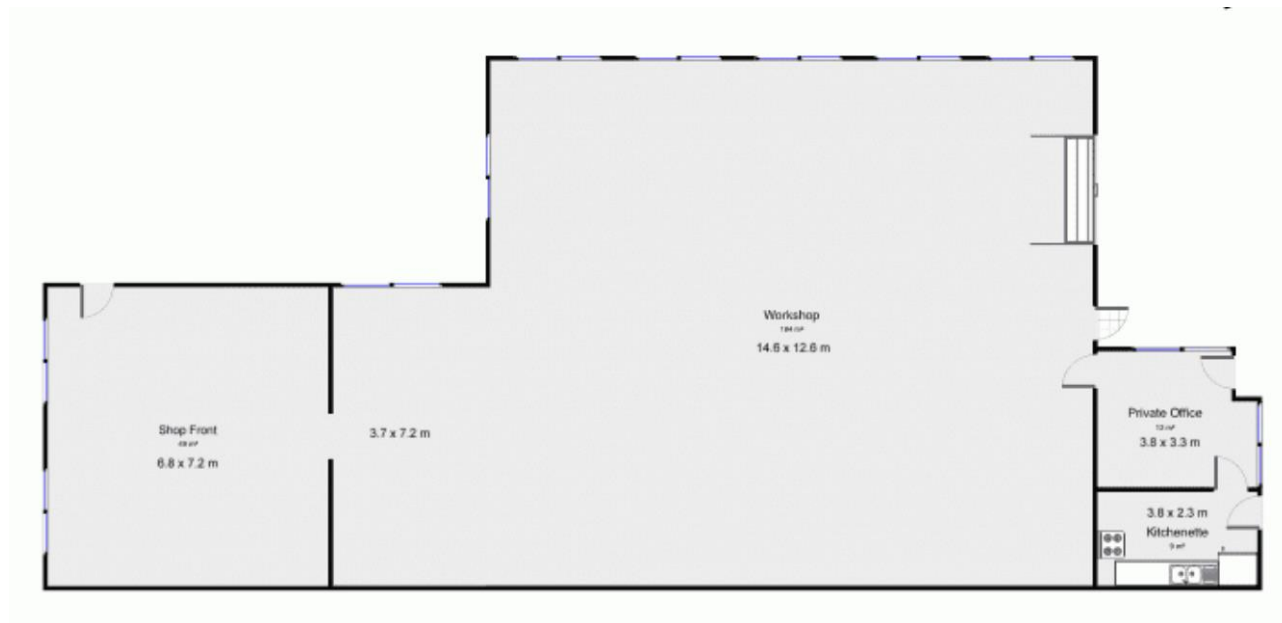
**Figure 1: Zoning Map****Figure 2: Aerial View (source: Google Earth)**

**Figure 3: Aerial View showing proposed extensions****Figure 4: Elevations**

The garage is an acceptable form of development. While the proposal would increase the scale of the development, and reduce some visual softening (through removal of the 'stepped' style roof form and infilling of the footprint), in the context of the existing characteristics of the host building, this is acceptable. In some instances negotiations may have occurred to provide a more subordinate garage footprint (i.e. recessed from front elevation), however for a single garage this has not been considered necessary.

The original use of the space relevant to the residential dwelling change of use appears to have been an office and kitchenette. The residential change of use is unusual in its scale and proportionality to the host building, with it occupying a small footprint, as well as being retrospective and having detached laundry and bathroom. However, the use itself is permissible with consent, and on balance is consistent with the objectives for the zone and Development Control Plan.

**Figure 5: Previous Layout (source: realestate.com, 2015)**



The rear extension is not convincingly justified by the dwelling use, and the 'existing use' rights of the Saddlery have been extinguished (meaning that a new or continuation of commercial use would now be prohibited). However, the proposal does not seek to extend or commence any commercial or industrial use: it is stated that the proposed rear extension would facilitate undercover protection of a campervan. The proposal is considered ultimately to be permissible with consent and within the limits of 'Alterations and Additions' given the residential aspect.

In the context of an extension only, as amended the proposal would be reasonably subordinate to the host building, achieved through acceptable setbacks, and sitting comfortably within residential height limitations (despite exceeding the height of the host building). It is further noted that the proposal would not give rise to material impact on the amenity of adjoining occupiers, in relation to matters such as privacy, overshadowing, loss of outlook/added sense of enclosure and the like.

On balance, it is reasonable to recommend approval of the application, subject to recommended conditions. This will include restrictions regarding commercial and industrial land use (except where exempt by any Environmental Planning Instrument).

Council's officer also acknowledges that separate compliance investigation may be required to manage the site. Regardless of the whether the land use is commercial or otherwise, it ultimately needs to be characterised and restricted to an acceptable use. At the same time, it is worth noting that the use of the land has essentially been occurring in some inconsistent form (in a planning sense) for approximately nineteen (19) years (including vehicle storage). This is not an uncommon situation where 'existing uses' cease and market forces are not sufficient to drive development towards a permissible use. For the benefit of Council, uses which are permitted with consent in the R1 General Residential Zone are as follows:

*Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Centre-based child care facilities; Community facilities; Dwelling houses; Educational establishments; Emergency services facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health services facilities; Home businesses; Home industries; Hostels; Information and education facilities; Local distribution premises; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential accommodation;*

*Residential flat buildings; Respite day care centres; Semi-detached dwellings; Seniors housing; Sewage reticulation systems; Shop top housing; Tank-based aquaculture; Tourist and visitor accommodation*

The attached report (s4.15 EPA Act 1979) provides further assessment of the development application (DA-56-2022) submitted for a part Change of Use to Dwelling and Alterations and Additions to building at Lot 2 DP 17565, land also known as 132 Bridge Street URALLA. The report demonstrates the acceptability of the proposal on balance, having regards to statutory matters of consideration.

## **CONCLUSION**

The proposed development is permissible with the consent of Council. The proposed development on balance complies with the relevant aims, objectives and provisions of Uralla LEP 2012 (as amended) and DCP 2011. A Section 4.15 assessment of the development indicates that the development is acceptable in this instance, following amendments. Attached is a Notice of Determination outlining conditions considered appropriate to ensure that the development proceeds in an acceptable manner.

## **COUNCIL IMPLICATIONS**

### **Community Engagement/Communication**

The application was notified in accordance with the Uralla Community Engagement Plan related Community Participation Plan.

### **Policy and Regulation**

Consistent with Uralla LEP 2011

### **Financial/Long Term Financial Plan**

No financial impacts

### **Asset Management/Asset Management Strategy**

Nil

### **Workforce/Workforce Management Strategy**

Assessment completed by A/Manager P&D

### **Legal and Risk Management**

The submitter and applicant will have appeal rights.

### **Performance Measures**

Assessment has exceeded 42 days but in full consultation with applicant to avoid an earlier proposed refusal and to achieve a satisfactory outcome.

### **Project Management**

Nil





27 October 2022

Uralla Shire Council  
32 Salisbury Street  
Uralla NSW 2358

For the attention of Mr Matt Clarkson, Manager Development & Planning

Dear Sir,

Reference: Development application no. DA-56-2022

Proposed erection of a carport and extension to an existing shed at 132 Bridge Street, Uralla by Ambrose Building Development Services Pty Ltd.

I have reviewed the plans and documents provided with the above development application and, as the owner and occupier of the adjoining property, [REDACTED] wish to inform you of my objection to elements of the development.

Please see attached submission prepared on my behalf by Wakefield Planning (AWTM Pty Ltd) outlining my concerns and giving reason for the application in its current form to be refused.

Yours sincerely,





AWTM Pty Ltd ATF Witherby Family Trust (ABN 50 285 185 541) T/A Wakefield Planning  
E: [angus.witherby@wakefieldplanning.com.au](mailto:angus.witherby@wakefieldplanning.com.au)  
W: [www.wakefieldplanning.com.au](http://www.wakefieldplanning.com.au)

## **Objection to DA 56-2022 132 Bridge St Uralla**

### **Carport and Extension to Existing Shed**

**(Version 1)**

**Client:**



**PO Box 594  
MOREE NSW 2400  
M 0427 257 244  
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*Specialist Town Planners*



*Objection to DA 56-2022 – Development at 132 Bridge St Uralla***Document Control Details**

|                          | Details                    | Date            |
|--------------------------|----------------------------|-----------------|
| Document Author(s)       | John Wolfenden             | 25 October 2022 |
| Internal Quality Review  | Angus Witherby             | 27 October 2022 |
| Project Reference        | 6626: 132 Bridge St Uralla |                 |
| Client Reference         |                            |                 |
| <b>Document Revision</b> |                            |                 |
| 1.0                      | Draft                      | 25 October 2022 |
| 1.1                      | Internal review            | 27 October 2022 |
| 1.2                      | Issue to client – draft    | 27 October 2022 |
| 1.3                      | Issue to client – final    | 28 October 2022 |

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This report has been prepared to inform the Client about particular matters. Use of material herein for any other purpose is at the end-user's own risk. The information contained in this report is to the best of Wakefield Planning's knowledge true and correct. Every effort has been made to ensure its accuracy; however, to the extent permitted at law, Wakefield Planning does not accept responsibility for any loss, injury or damage arising from the use of such information.

**Principal Author Certification**

I certify that I have prepared the contents of this Report and to the best of my knowledge:

- The information contained in this Report is neither false nor misleading; and
- It contains all relevant available information that is current at the time of release.



**John Wolfenden**

B.Ec (Hons), PhD, Grad Cert Urban and Regional Planning (sat. req.)

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*Objection to DA 56-2022 – Development at 132 Bridge St Uralla***1 Summary of Grounds for Objection**

- Size of the proposed shed out of proportion with the existing 'dwelling' and the surrounding land uses.
- Potential for overshadowing.
- Height of the proposed shed seems to be too great given its intended purpose for storage. At most, it should be no higher than the existing roofline.
- The proposed shed is too large to be considered as ancillary to the small 'dwelling' presently onsite.
- There can be no presumption (or likelihood) of continued use of the site as a *vehicle body repair workshop* or as a *vehicle repair station* as these are both prohibited uses in this zone, and there are no existing use rights that would enable this. The proposed shed can be assumed to be able to facilitate such continued use, and it is difficult to see how it could effectively be used for 'residential storage'.
- If the 'residential unit' (as asserted in the SoEE) is not used as a residence at all, then the use of the site for residential (or other) storage would constitute a *storage premises*, which is a prohibited use in this zone.

**2 Details of the Proposed Development**

The application proposes the following additions to the existing structures on the property:

- A garage at the front of the building behind the existing building line
- A large carport or shed at the rear of the lot. The proposed structure is called *both* a carport and a shed in the description of the development in the Statement of Environmental Effects (SoEE).

**3 Characterisation of the Proposed Use**

The SoEE states that the proposed use is "for residential storage and garage in association with the residential unit on the property and (the proponent's) residence on John Street."

**3.1 Carport or shed?**

In the Description of the Proposed Development, the applicant states that the structure to rear of the existing structures is "a large carport" and also a "shed". It is useful to form a view as to whether it proposed structured would be a carport or a shed as this informs consideration of whether the development is ancillary to the main use of the property or not.

"Carport" is not defined in the EP&A Act, the EP&A Regulation or the Uralla LEP. It is then usual practice to take a common understanding of the term, and/or to refer to definitions provided by the Macquarie Dictionary.

The Macquarie Dictionary (1994) defines "carport" as a: *roofed wall-less shed often projecting from the side of a building, used as a shelter for a motor vehicle.*

Common usage of the term generally means an open structure (roof and support pillars) suitable for parking one or two vehicles. Such carports would typically be around 3m wide x 6m long (single carport), or perhaps 6m x 6m (double carport). An example of an extra long carport is given in Figure 1 with dimensions of 6.23m (w) x 9.12m (l) x 4.27m (h). This is an unusually large carport.

*Objection to DA 56-2022 – Development at 132 Bridge St Uralla*

The provided plans do not show the dimensions of the proposed carport or shed. They have been estimated from the scale drawings as 14.5m (l) x 13.2m (w) x 5m (h). This is over three times the footprint area of the large carport noted above (191.4m<sup>2</sup> compared to 56.8m<sup>2</sup>). The proposed “carport” also has an enclosed volume of nearly four times that of a large carport (957m<sup>3</sup> compared to 242m<sup>3</sup>). It is considered that the proposed structure is too large to be considered a carport, and would perhaps better be construed as a “shed”.

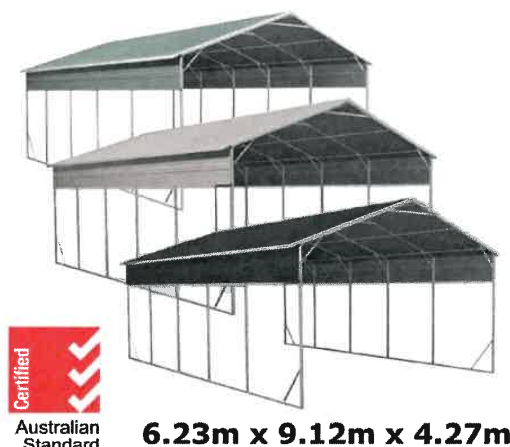
**AU ENGINEER CERTIFIED**

Figure 1 Example of large carport

“Shed” also is not defined in the Act, Regulation or LEP. The definitions provided in the Macquarie Dictionary (1994) are: (1) a slight or rough structure built for shelter, storage etc (2) a large, strongly built, structure often open at the sides or end.

Based on this definition and common usage of the term, the proposed structure should more properly be construed as a shed. The implications of this classifications in terms of the proposal are considered further below.

Note, part of the proposal also involves the construction of a garage at the front of the existing building. This will involve “squaring up” the building line and filling in the current open area at its front. We have no objection to this part of the proposal which seems to be a sensible fit within the streetscape and the existing residential nature of the neighbourhood.

**3.2 Use of the site**

The SoEE includes the following statement: “the proponents are not looking to continue the existing use but rather use the shed for residential storage and garage in association with the residential unit on the property and their residence on John Street.”

It is not stated in the application what the existing use is. However, our client has made the following observations about the activities on the site (see attached Statutory Declaration):

Commercial activity of an industrial nature; equivalent to that of a mechanical, or metal fabrication workshop. Activities, such as grinding,

*Objection to DA 56-2022 – Development at 132 Bridge St Uralla*

metal cutting, welding, spray painting, etc. have been undertaken with considerable noise, and often fumes, generated. It is not uncommon to have the sound of vehicle engines being revved heavily while mechanical work is being undertaken on them and fumes from exhaust, and on one occasion automotive spray paint, have drifted into the bedrooms of our house through open windows.

This work has been carried out on occasions on vehicles that are only on site for a limited time. I believe these vehicles to be the property of third parties, as often they have had company branding on them; including, on at least one occasion, a vehicle with Armidale Regional Council branding.

I have observed the above activities being undertaken since 2015.

In our opinion, this appears to be a description of what could be construed as either a *vehicle body repair workshop* or as a *vehicle repair station* as per the definitions in the Uralla LEP. We do not consider it can be construed as either a *home business* or a *home industry* as such activities must not cause “...interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise” (from definition of *home industry* in the Uralla LEP). Moreover, *home industry* and *home business* should only be undertaken by 1 or more permanent residents of the dwelling (LEP definition). The subject site does not have a principal dwelling, rather a ‘residential unit’ (as per the SoEE) and the owners intend to make use of the site from ‘their residence on John Street’ (SoEE).

An inspection of photographs of the rear of the lot reveals a variety of equipment and other materials consistent with the observations provided above by the neighbour. The proposed shed appears to be of dimensions that would very much perform the function of a weather cover across the extent of the existing workplace as observed. Moreover, the stated purpose of the proposed shed is for “residential storage”. Given that it has a high roof line and no walls, it is unclear what sort of residential storage could be undertaken in the shed as anything stored would potentially be subject to rainfall from storm events, and sun exposure at the edges. A much more sensible storage shed for residential purposes would seem to be a smaller walled-shed that would properly protect against the weather.

The above considerations suggest that the proposed shed could indeed be intended for use in support of the existing use, despite the assertions of the applicant to the contrary.

## **4 Review of Relevant Matters for Consideration**

### **4.1 What SEPPs apply (including any draft SEPPs)**

No SEPPs are relevant to this objection.

### **4.2 LEP provisions (including any draft LEP)**

The subject site is zoned R1 General Residential which is a “closed” zone. *Vehicle body repair workshop* and *vehicle repair station* are uses that are not specified as permitted in the zone, and are thus prohibited.

#### **4.2.1 Consideration of potential existing use rights**

It has been suggested that existing use rights could confer permissibility upon the current use of the property. Our understanding is that the use of the property has for a long time

*Objection to DA 56-2022 – Development at 132 Bridge St Uralla*

been as a saddlery. In current definitional terms, this would be considered to be a *shop*, which is a form of *retail premises*, a type of *commercial premises*.

Irrespective of the characterisation of the previous use, we are advised by the neighbours that the saddlery use finished around 2005, and that no similar use was undertaken on the site for around 10 years. Under part 4.68(3) of the EP&A Act 1979,

*a use is presumed, unless the contrary is established, to be abandoned if it ceases to be actually so used for a continuous period of 12 months.*

We are not aware of any evidence that would support the position that the use of saddlery (or an equivalent commercial use) continued during the abovementioned period. As such, we are of the view that any existing use right has *necessarily lapsed*. It follows that only uses permitted by the Uralla LEP 2012 within the R1 zone are now permitted on the subject site.

Even if a commercial use had continued on the site since 2005, this would *not* confer an existing use right for a *vehicle body repair workshop* or a *vehicle repair station* as neither of these are a type of *commercial use*.

#### **4.3 DCP**

There appears to be no specific provisions for ancillary development that is *not* in a heritage area in the Uralla DCP. The proposed shed meets general side and rear setback provisions.

#### **4.4 Likely impacts of the proposal**

##### **4.4.1 Size and scale**

The proposed shed is large. At around 191m<sup>2</sup> in area, it will cover around 20% of the 950m<sup>2</sup> block. The existing shed with the new extension on the front will have an area of about 355m<sup>2</sup> – the proposed shed will increase the covered area of the lot by a further 50%.

The roofline of the proposed shed is higher than that of the existing shed. For reasons discussed above, we find that at least suggestive of its use to support the continuing activity as a *vehicle body repair workshop* or as a *vehicle repair station* as such activities would require additional height to allow for larger equipment to be serviced. The apex of the roofline should at least be reduced in height to the same profile as that of the existing building.

As proposed, the shed will make a significant difference to the visual amenity of its immediate neighbours. Despite not having walls, the support columns and the large roof area will be quite visible to neighbours.

The scale of the proposed shed is out of character with the surrounding residentially zoned landscape. Typical structures in the immediate area are dwellings and sheds and the like as ancillary components within the landscape. The proposed shed is more commercial or industrial in scale, rather than being in character for a residential area.

##### **4.4.2 Overshadowing**

The analysis in the SoEE does not provide any diagrams so that the extent of overshadowing can be assessed. There is a good chance that the structure will in fact impede solar access to the rear of the property at 130 Bridge St. Here is located a shed upon which it is intended to install solar panels.



*Objection to DA 56-2022 – Development at 132 Bridge St Uralla***4.5 Site suitability**

For reasons argued elsewhere, we consider that this is not a suitable site for the proposed development.

**5 General Discussion**

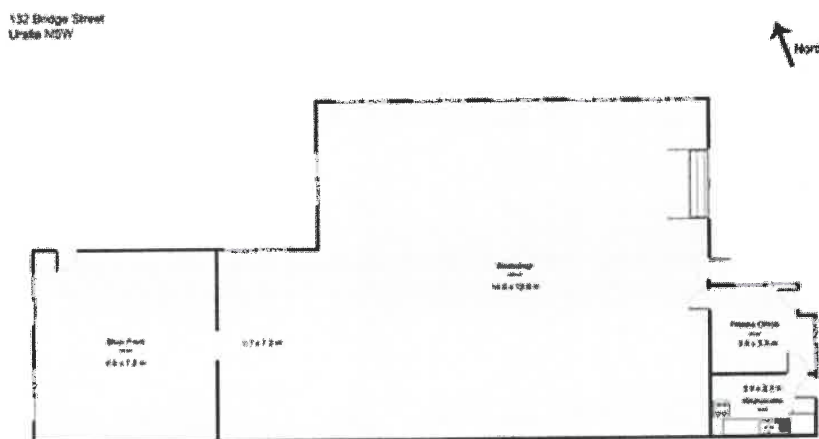
The existing structures on the site are understood to be a large shed at the front of the site (where the saddlery operations were previously undertaken), a small residence to the rear of that shed, with a separate outhouse for ablutions at the rear of the site.

In the absence of any existing use rights, any further use of the site must be for uses permitted under the current LEP. How the proposed shed could facilitate any such permitted uses is unclear.

Any permissibility for construction of the proposed shed would flow from it being construed as an ancillary structure to the principal use of the property. Since the original commercial use has lapsed (existing use rights extinguished), it is presumed that the main use of the site would now revert to residential in connection with the small residence onsite. It is doubtful that that the proposed shed could be considered ancillary to a residential use – particularly as it would be so much larger than the small residence presently onsite.

**5.1 The 'residential unit'**

It is noted that when the property was on the market in 2015 (prior to purchase by the present owner), it was advertised with the following floor plan. Note that the small structure to the rear of the building is identified as a private office with kitchenette.



This was clearly *not* a 'residential unit' as observed in the SoEE. Has this structure subsequently been approved as a residential unit?<sup>1</sup> If not, this further complicates the proposed development, as it can in no way be construed as ancillary to a dwelling that does not legally exist. It indeed further suggests that the likely use of the proposed shed would be for a commercial (or industrial-type) use of the property, neither of which would be permissible on the site. Alternatively, if the shed is *not* ancillary to a dwelling, and the

<sup>1</sup> It is understood that this area is presently leased out as a commercial office, and that it has never been used as a residence.



*Objection to DA 56-2022 – Development at 132 Bridge St Uralla*

site is used for residential (or other) storage purposes, then its use would be characterised as *storage premises* which is a prohibited use in the R1 zone.

**5.2 Ablutions block**

There is presently an ablutions block at the rear of the site. The submitted plans do not show this. Is this building to be demolished? If so, this needs to be clearly indicated on the plans.

**Statutory Declaration**  
**OATHS ACT 1900, NSW, EIGHTH SCHEDULE**

---

I, [REDACTED], do solemnly and sincerely declare that I have witnessed the following activity being undertaken at 132 Bridge Street, Uralla, NSW (which adjoins [REDACTED])

Commercial activity of an industrial nature; equivalent to that of a mechanical, or metal fabrication workshop. Activities, such as grinding, metal cutting, welding, spray painting, etc. have been undertaken with considerable noise, and often fumes, generated. It is not uncommon to have the sound of vehicle engines being revved heavily while mechanical work is being undertaken on them and fumes from exhaust, and on one occasion automotive spray paint, have drifted into the bedrooms of our house through open windows.

This work has been carried out on occasions on vehicles that are only on site for a limited time. I believe these vehicles to be the property of third parties, as often they have had company branding on them; including, on at least one occasion, a vehicle with Armidale Regional Council branding.

I have observed the above activities being undertaken since 2015.

This is of concern to me for the following reasons:

This activity has significantly impacted the quality of life of my family. [REDACTED]

These issues make it difficult for her to sleep soundly throughout the night and she often requires sleep during the day to enable her to gain sufficient rest. The bedrooms in our house are located on the side of our property adjacent to the subject site and the level of noise emanating from it throughout the day can make sleep impossible for her and aggravate her condition. It is often necessary for her to gain additional sleep by moving to an armchair in our living room on the opposite side of the house. This makes it difficult for other family members to go about their daily business without disturbing her.

[REDACTED] He keeps his bedroom window closed while the above activities are being undertaken in order to prevent drifts of fumes entering the house and triggering an asthma attack.

The rear of the site is being used as a storage depot for industrial vehicles and equipment, presenting an unsightly outlook from our property. Additionally, the clutter in the interior of the existing building and the rear of the property presents a potential breeding ground for vermin that may subsequently create an issue for adjoining properties.

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1900*.

Declared at: [redacted] on 27<sup>th</sup> October 2022  
[place] [date]

[redacted]  
[signature of declarant]

in the presence of an authorised witness, who states:

I, [redacted] a Justice of the Peace (no. 10400),  
[name of authorised witness] [qualification of authorised witness]

certify the following matters concerning the making of this statutory declaration by the person who made it: [\* please cross out any text that does not apply]

1. \*I saw the face of the person OR ~~\*I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification<sup>1</sup> for not removing the covering, and~~
2. \*I have known the person for at least 12 months OR ~~\*I have confirmed the person's identity using an identification document and the document I relied on was~~ .....

[redacted]  
[signature of authorised witness]

27<sup>th</sup> October 2022  
[date]

<sup>1</sup> The only "special justification" for not removing a face covering is a legitimate medical reason (at September 2018)

## Development Assessment Report

**DA Number:** DA-56-2022      **Council:** Uralla Shire Council

**Location:** 132 Bridge Street URALLA

**Development Description:** Change of use to include a dwelling, Alterations and Additions – front garage and attached rear skillion style shed

**Title Details:** Lot: 2 DP: 17565

| Property Details/History  |         |   |
|---|---------|---|
|   | Checked | Comments  |
| <b>File History</b>   | Yes     | <ul style="list-style-type: none"> <li>DA-24-2013 - Development Application for attached Dual Occupancy - approved 12/8/2013 (It should be noted this approval was not enacted upon and works did not commence for this DA)</li> <li>DA-29-2022 – Development Application for Commercial Extension and Carport – withdrawn (it is noted that the plans are similar to that for the current application, but did not include a residential element)</li> <li>DA-25-2020 – Development Application for a Shipping Container – approved 14 September 2020 (does not appear to be installed)</li> <li>The site has had historical use as a Saddlery (Mackellar Saddlery). The submitted objection references an affidavit stating that the use ceased in 2005.</li> </ul> |
| <b>Title Plan</b>   | Yes     | There are no easements or title restrictions that would impact the proposed development.  |
| <b>Ownership</b>  | Yes     | The current landholder, Mr RJ Thackway has signed owners consent.   |
| <b>Background</b>   |         |   |
| <p>The Development Application at hand proposed to be determined at Councils December Ordinary Meeting. Following Councillor inspections, the applicant elected to provide amended plans, and defer the decision to a later meeting.</p> <p>Revised plans have been submitted to Council 14 February 2024. The revisions have been considered, and the proposal is now acceptable to be determined by Council.</p> <p>As part of the Development Application process, the original objector has been provided with the amended plans, and (through their consultant) has upheld the objection, therefore requiring Council determination.</p> |         |   |

### Site Characteristics

Lot 2 DP 17565 is located at 132 Bridge Street, Uralla on the New England Highway. The land contains an existing single storey, brick building that was formerly used as a saddlery workshop and retail space. A single bedroom dwelling has since been constructed within the existing building comprising a kitchen and bedroom. The site is connected to reticulated water, sewer & stormwater. The building is connected to services including water, sewer and mains power. Vehicle access to the Site is via Bridge Street (New England Highway). Adjacent land is utilised for residential dwellings.

### The Proposal

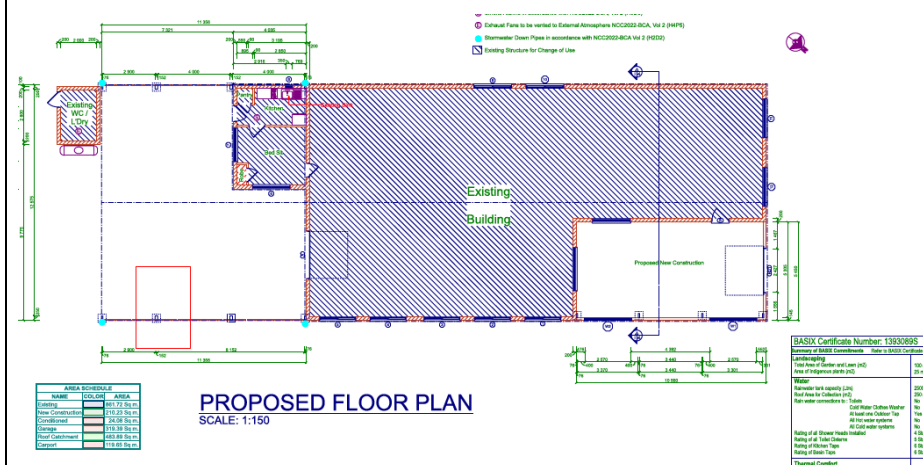
Council approval is sought for the following:-

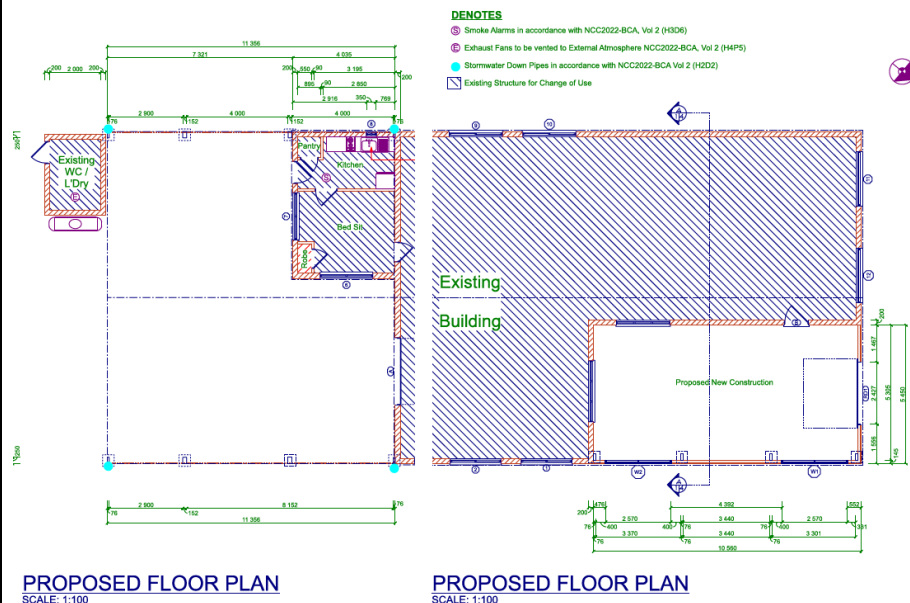
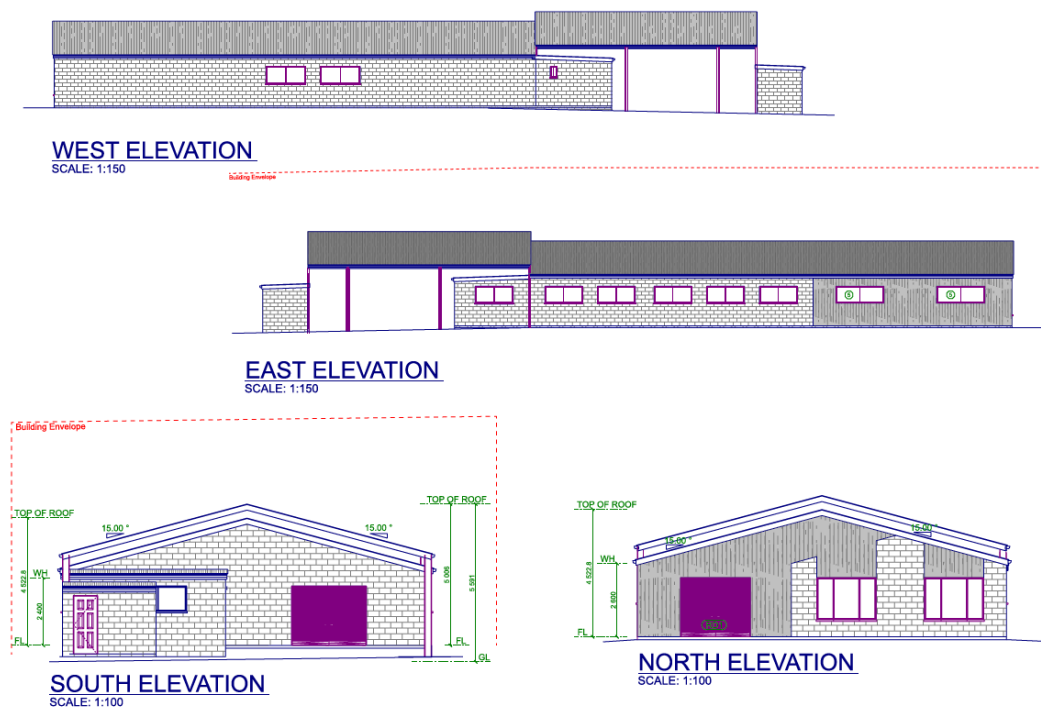
- Additions to the front of the existing building (10.5m x 5.4m) for an attached car garage and general alterations to the front façade of the building.
- Additions at the rear of the existing building comprising a large carport/skillion roof structure with dimensions 11.36m (depth) x 12.6m (width) and up to 5.5m in height at the ridgeline.
- Change of use of part of the building to a dwelling (studio style accommodation, comprising kitchen and bedroom – 24m<sup>2</sup>)

**Fig 1: Aerial View showing proposed extensions**



**Fig 2: Proposed Floor Plan**



**Figure 3: Proposed Floor Plan (greater detail)****Fig 4: Elevations****Notification**

The proposal was notified from 12 October 2022 to 28 October 2022. One (1) submission was received in objection to the proposal. The matters raised are addressed in the report following.

Revised information from the applicant was emailed to the objector on 19 September 2023 with no further

submissions or comment.

Revised Plans were received 14 February 2024, which were notified to the objector. The submission was retained, with the objectors consultant providing the following comments:

*We previously prepared an objection to the initial proposed design in October 2022 which was lodged with Council. A number of reasons for our objections were provided including the following:*

- *Size of the proposed shed out of proportion with the existing 'dwelling' and the surrounding land uses.*
- *Potential for overshadowing.*
- *Height of the proposed shed seems to be too great given its intended purpose for storage. At most, it should be no higher than the existing roofline.*
- *The proposed shed is too large to be considered as ancillary to the small 'dwelling' presently onsite.*
- *There can be no presumption (or likelihood) of continued use of the site as a vehicle body repair workshop or as a vehicle repair station as these are both prohibited uses in this zone, and there are no existing use rights that would enable this. The proposed shed can be assumed to be able to facilitate such continued use, and it is difficult to see how it could effectively be used for 'residential storage'.*
- *If the 'residential unit' (as asserted in the SoEE) is not used as a residence at all, then the use of the site for residential (or other) storage would constitute a storage premises, which is a prohibited use in this zone.*

*The ONLY change that seems to have been made in the design is a reduction in length of the proposed shed from 14.5m to 11.4m – or just a 20% reduction. However, the proposed height of the shed seems to have increased from 5.0m to 5.6m to top of the roofline, which will result in an even greater visual impact on the neighbours.*

*All other points raised in our earlier submission (copy attached) remain active. We have raised a number of planning reasons why the proposed shed should not be approved, including the likelihood that it would facilitate the use of the site for a prohibited use (namely as a storage premises).*

*We request that given the present design, the proposed development be refused.*

#### Revisions:

The application has been revised in the following ways since lodgement:

- Amendment 1: Inclusion of amended plans showing the studio type accommodation and associated BASIX Certificate.
- Amendment 2: Inclusion of amended plans which reduce the depth of the skillion structure by approximately 3m.

The existing and revised plans are below:

**Fig 5: Original Footprint Plan**





**Fig 6: Proposed Footprint Plan**



### Assessment

Clause 4.15 of EP&A Act 1979

Pursuant to Clause 4.15, in determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development, the subject of the development application. These are include below.

4.15(1)(a) the provisions of—  
(i) any environmental planning instrument  
**State Environmental Planning Polices**

State Environmental Planning Policy (Biodiversity & Conservation) 2021

#### Chapter 4 – Koala Habitat Protection 2021

|     |  |                                    |
|-----|--|------------------------------------|
| 4.9 | Development assessment process—no approved koala plan of management for land | Not engaged by virtue of lot size. |
|-----|--|------------------------------------|

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4, Clause 4.6 - The subject land is not identified as being potentially contaminated and is considered suitable for the proposal. It is not considered necessary for a former Saddlery to warrant a Preliminary Site Investigation be considered as part of the application.

State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 2 – A BASIX Certificate for energy efficiency has been submitted, which is satisfactory and complies with the chapter.

4.15(1)(a) the provisions of—  
(i) any environmental planning instrument  
**Uralla Local Environmental Plan 2012**

The proposal is reasonably consistent with the LEP having regard to the following matters.

| Clause                                 | Comment   |
|--|---|
| 2.3 Zone objectives and Land Use Table | <p>The subject land is zoned R1 General Residential under the Uralla LEP 2012. In forming permissibility of the development, it is reasonable to characterise the use of the land.</p> <p><b>Characterisation of Land Uses:</b></p> <p>The proposed new use is defined as a dwelling, as follows:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p><i><b>dwelling</b> means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.</i></p> </div> <p>A Dwelling is permissible with consent in the zone, together with alterations and additions.</p> <p>The wider use of the site appears to have evolved from a Saddlery (commercial use), to a use more along the lines of “light industry” or “storage premises” (prohibited uses in the zone). The former saddlery use does not statutorily afford ‘existing use rights’, given the current use is not consistent with the previous commercial use (effectively abandoning the ‘existing use’).</p> <p>It must be noted however, that during the officers 2 x (random, unscheduled with applicant) site inspections, no commercial use of the land was appearing to occur, which is a key aspect of the above “storage premises” definition. “Light Industry” recognises industrial type activities, and does not require it be for commercial use.</p> <p>If the use was attached to a dwelling - footprint aside - it would largely be considered within the limits (or, has the potential to be) a “home industry” or “home business” which would be an exempt form of development under Part 2, Division 1, Subdivision 22 (Home businesses, home industries and home occupations) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. The definitions are as follows:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p><i><b>home industry</b> means an industrial activity, whether or not involving the sale of items online, carried on in a dwelling, or in a building ancillary to a dwelling, by 1 or more permanent residents of the dwelling and not involving the following—</i></p> <p><i>(a) the employment of more than 2 persons other than the residents,</i></p> <p><i>(b) interference with the amenity of the neighbourhood because of the emission of</i></p> </div> |

|  |  |
|--|--|
|  | <p>noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,</p> <p>(c) the exposure to view, from adjacent premises or from a public place, of unsightly matter,</p> <p>(d) the exhibition of signage, other than a business identification sign,</p> <p>(e) the retail sale of, or the exposure or offer for retail sale of, items, whether goods or materials, not produced at the dwelling or building, other than by online retailing, but does not include bed and breakfast accommodation or sex services premises.</p> <p><b>home business</b> means a business, whether or not involving the sale of items online, carried on in a dwelling, or in a building ancillary to a dwelling, by 1 or more permanent residents of the dwelling and not involving the following—</p> <p>(a) the employment of more than 2 persons other than the residents,</p> <p>(b) interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,</p> <p>(c) the exposure to view, from adjacent premises or from a public place, of unsightly matter,</p> <p>(d) the exhibition of signage, other than a business identification sign,</p> <p>(e) the retail sale of, or the exposure or offer for retail sale of, items, whether goods or materials, not produced at the dwelling or building, other than by online retailing,</p> <p>but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.</p> <p>Clause 5.4 of the LEP also provides the following area thresholds:</p> <p>(2) <i>Home businesses</i> If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 100 square metres of floor area.</p> <p>(3) <i>Home industries</i> If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 60 square metres of floor area.</p> <p>Council's officer estimates that approximately 200m<sup>2</sup> of the building would be used for storage type use (before considering the extensions at hand). It is recognised that the existing use of the land may require compliance investigation by Council through its size.</p> <p>Notwithstanding, the application must be considered as submitted: The proposal seeks approval for a change of use to a dwelling and for extensions and alterations only, and will therefore be considered as such.</p> <p><b>Consideration of Zone Objectives:</b></p> <ul style="list-style-type: none"> <li>• <b>To provide for the housing needs of the community.</b></li> </ul> <p><u>Dwelling:</u></p> <p>The proposed studio type dwelling aspect of the proposal does not particularly further the housing needs of the community. Nevertheless, it does provide a form of accommodation, and is not contrary to the objective.</p> <p><u>Extensions and Alterations:</u></p> <p>These aspects of the proposal are not contrary to this objective.</p> <ul style="list-style-type: none"> <li>• <b>To provide for a variety of housing types and densities.</b></li> </ul> |
|--|--|

|   |  |
|---|--|
|   | <p><u>Dwelling:</u></p> <p>The proposal is not considered contrary to this objective, despite (in a residential sense) being an underdevelopment of the site.</p> <p><u>Extensions and Alterations:</u></p> <p>These aspects of the proposal are not contrary to this objective.</p> <ul style="list-style-type: none"><li>• <b><i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i></b></li></ul> <p><u>Dwelling:</u></p> <p>Objective not applicable.</p> <p><u>Extensions and Alterations:</u></p> <p>The scale of the existing building and its proportionality to the residential part is noted, however it is not considered that by virtue of approving the development, Council would be dissuading or restricting residential use of land which may be suitable for residential needs in the form of facilities or services.</p> |
| 4.6 Exceptions to development standards                 | The proposal does not seek to vary any principle development standards.  |
| 5.4 Controls relating to miscellaneous permissible uses | As discussed previously within this report, area limitations are imposed for Home Industry and Home Business land uses, which Council may choose to enforce if required.   |
| 5.10 Heritage conservation                              | The land is not within a Heritage Conservation Area, or a draft or current Heritage Item.  |
| 6.1 Earthworks  | No significant earthworks are required to facilitate the proposal. Considerations of the Clause may be managed by standard conditions.   |
| 6.4 Essential services                                  | The land is provided with relevant essential services for the zone. No further discussion of Clause required.  |

|   |
|---|
| <p>4.15(1)(a) the provisions of—</p> <p>(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)</p> <p><b>Draft Environmental Planning Instruments</b></p> |
| <p>There are no proposed planning instruments which are relevant to the assessment of the proposal</p>  |
| <p>4.15(1)(a) the provisions of—</p> <p>(iii) any development control plan</p> <p><b>Uralla Development Control Plan 2012</b></p>   |

Chapter 3 (Residential Development) applies to the proposal, given the land is within the R1 Zone.

| Chapter      | Compliance? | Comment   |
|--------------|-------------|---|
| 3.5 Density  | Yes         | Complies by virtue of including dwelling element.   |
| 3.6 Setbacks | Yes         | Front setbacks are already established and comply with minimum requirements (minimum 6.8m). |

|  |           |   |
|--|-----------|---|
|  |           | Side setbacks are already established and are 2.7m and 3.22m. No change to side setbacks.<br><br>Proposed rear setback is 6.8m which complies with minimum requirements (minimum 1.5m).   |
| 3.7 Open Space   | Yes       | As revised, the proposal would allow for 129m2 Private Open Space, which exceeds 45m2 requirement.  |
| 3.8 Secluded private open space  | Yes       | As revised, the proposal exceeds the 24m2 (minimum dimension 3.5m) requirements. Would receive adequate sunlight.   |
| 3.9 Landscaping  | N/A       | N/A   |
| 3.10 Privacy   | Yes       | An adequate level of privacy is maintained between surrounding residential dwellings and the proposed new dwelling. Windows or balconies do not overlook private open space of surrounding dwellings.   |
| 3.11 Fencing   | N/A       | The proposal does not include fencing.  |
| 3.12 Solar Access<br><i>O. Dwellings achieve the preferred solar orientation and placement on lots as shown in Figure 3.3 and Figure 3.4 (ref. UDCP 2011) &amp; Eaves and window heights achieve the design outcomes shown in Figure 3 (ref. UDCP2011) &amp; Secluded private open space is located on the north side of dwellings, and is provided with summer shade.</i> | <b>No</b> | The building is existing and there is no change to orientation. Notwithstanding this, the dwelling will have no north facing windows and therefore minimal natural light or passive thermal qualities.<br><br>The proposed skillion style shed to be erected at the rear of the site will negate all future opportunities to incorporate solar access or natural light into the existing building. The proposed design is considered poor in terms of providing natural light and ventilation into living areas.<br><br>Notwithstanding, given the scale of the residential component and given it is existing, this is not considered sufficient grounds to warrant a refusal (given acceptability in other respects). |
| 3.13 Dual Occupancy  | N/A       | N/A   |
| 3.14 Secondary Dwellings   | N/A       | N/A   |
| 3.15 Multi- Dwelling Housing   | N/A       | N/A   |
| (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4<br><b>Planning Agreements</b>   |           |   |
| No planning agreement has been offered or entered into relating to the site.   |           |   |
| (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),<br><b>Regulations</b>   |           |   |
| The regulations (clauses 61 – 64) are satisfactory as conditioned (which will manage any fire safety requirement   |           |   |

| for the dwelling  |               |   |
|---|---------------|---|
| (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality |               |   |
| <b>Impacts</b>  |               |   |
|   | <b>Impact</b> | <b>Comment</b>  |
| <b>Setbacks</b>   | No            | The proposed development meets all minimum setback requirements under Councils DCP.   |
| <b>Privacy</b>  | No            | The proposed dwelling does not overlook any living areas or private open space areas of surrounding dwellings. Accordingly, it is not considered there would be any material impact from the development in terms of privacy.   |
| <b>Overshadowing</b>  | No            | The proposed additions will be located to the southern side of the neighbouring dwelling to the north in Bridge Street, therefore not causing overshadowing to this property.<br><br>By virtue of the single storey height and acceptable setbacks, the proposal would have an acceptable overshadowing impact to other properties.   |
| <b>Solar Access</b>   | Yes           | As noted above, the dwelling component will have no north facing windows and therefore minimal natural light into the living areas. Incorporating natural light and solar access into living areas has not been considered in the project design. Notwithstanding, this is not considered a sufficient ground to warrant refusal.   |
| <b>Amenity</b>  | No            | The proposal is for a small, studio style dwelling to be established within an formerly commercial premises. There would be minimal impact from the proposed development in terms of amenity to the wider neighbourhood.<br><br>Again, it is noted that any compliance action or similar in relation to the use of the land would sit outside of the matters for consideration. |
| <b>Water</b>  | No            | Stormwater is already connected to the kerb & gutter in Bridge Street. No proposed changes.   |
| <b>Air</b>  | No            | Nil impacts likely.   |
| <b>Noise</b>  | No            | Nil impacts likely.   |
| (c) the suitability of the site for the development   |               |   |

The site is conducive to the proposed realignment, and is not affected by any constraints which would Preclude the development.

Infrastructure suitability:

|                 | Impact             | Comment  |
|-----------------|--------------------|--|
| <b>Sewer</b>    | No                 | No change to existing sewer connection at the rear of the allotment. The proposed additions would not impose on Councils sewer main. |
| <b>Water</b>    | No                 | No change to existing water connection which is located in Bridge Street.  |
| <b>Drainage</b> | To be conditioned. | Stormwater to be drained to kerb and gutter in Bridge Street.  |
| <b>Access</b>   | No                 | Access to the site is existing.  |

(d) any submissions made in accordance with this Act or the regulations

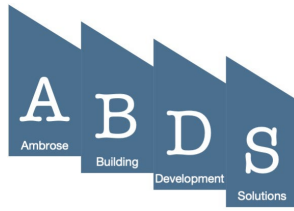
**Was this application notified?** Yes  
**Is this application an advertised development application?** No  
**Were there any written submissions received?** Yes  
**If Yes, what was the number of submissions received?** One (1)

| Issue   | Comment   |
|---|---|
| <ul style="list-style-type: none"> <li>The size of the proposed shed is out of proportion with the existing 'dwelling' and the surrounding land uses.</li> </ul>                                    | The proposed rear extension is large in comparison to the dwelling component, but is acceptably subordinate to the host building as a whole.  |
| <ul style="list-style-type: none"> <li>Potential for overshadowing.</li> </ul>  | <p>There is some potential (although minor) for overshadowing of the objectors property in any capacity due to proposed additions being situated directly south.</p> <p>There would be some overshadowing on the other neighbours to the south for a period of time in the morning. Overshadowing is considered to be within acceptable limits, given the single storey height and generous setbacks.</p> |
| <ul style="list-style-type: none"> <li>Height of the proposed shed seems to be too great given its intended use for storage. At most, it should be no higher than the existing roofline.</li> </ul> | <p>The proposed skillion roof/carport has been designed to accommodate for a caravan/campervan and is therefore up to 5.5m in height at the roof pitch.</p> <p>While the proposed building height exceeds the dwelling, the development comfortably complies with building height requirements</p>  |



|  |   |
|--|---|
|  | for the R1 General Residential (UDCP 2011).   |
| <ul style="list-style-type: none"> <li>The proposed shed is too large to be considered as ancillary to the small 'dwelling' presently onsite.</li> </ul>   | It is agreed that the proposed rear extension does not have a genuine nexus to the size of the dwelling. Again, the extension is considered proportionate to the host building as a whole.  |
| <ul style="list-style-type: none"> <li>There can be no presumption (or likelihood) of continued use of the site as a <i>Vehicle body repair workshop</i> or as a <i>vehicle repair station</i> as these are both prohibited uses in the zone, and there are no existing use rights that would enable this. The proposed shed can be assumed to be able to facilitate such continued use, and it is difficult to see how it could effectively be used for residential storage.</li> </ul> | <p>Council's officer notes the submitted objection, inclusive of reference to an affidavit regarding land use comprising 'vehicle body repair workshop' or as a 'vehicle repair station'. This has not been observed at officer's inspection, but it is acknowledged that this potentially has occurred.</p> <p>Commercial and industrial uses are generally prohibited within the R1 General Residential zone. The proposed additions are not considered to facilitate any commercial or industrial activities.</p> <p>It is recommended that conditions are imposed to the consent which restrict commercial or industrial activities, and inherently provide a compliance framework.</p> |
| <ul style="list-style-type: none"> <li>If the 'residential unit' is not used as a residence at all, then the use of the site for residential (or other) storage would constitute a <i>storage premises</i> which is a prohibited use within the zone.</li> </ul>   | <p>The application seeks to formalise the single bedroom unit in the building as a lawful dwelling.</p> <p>It is noted that residential storage is not a defined use under the LEP, however it is agreed that 'storage premises' would be a prohibited use.</p>   |
| <ul style="list-style-type: none"> <li>Increase in building height between amendments</li> </ul>   | This does not appear to have occurred.  |
| (e) the public interest.   |   |
| On balance, the proposal satisfies relevant planning controls and would not be adverse to the public interest.   |   |
| <b>Assessing Officer General Comment</b>   |   |
| <b><u>ASSESSMENT – KEY ISSUES</u></b>  |   |
| No issues warranting further detailed consideration have been identified.  |   |
| <b>Conclusion</b>  |   |

The proposed development is permissible with the consent of Council. On balance, the proposal complies with the provisions of the Uralla Local Environmental Plan 2012 and Uralla Development Control Plan 2011. A Section 4.15 assessment of the development indicates that the development is acceptable in this instance. Attached is a draft Notice of Approval outlining conditions considered appropriate to ensure that the development proceeds in an acceptable manner.



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15 August 2023

General Manager  
PO Box 106  
Uralla NSW 2358

Att Kate Blackwood,

Dear Kate.

**Amendment to Development Application DA-56-2022.**

Please find enclosed the amended plans and BASIX Certificate applicable to the dwelling located at 132 Bridge Street, Uralla, which we are seeking consent for at the same time as the extension and erection of a carport at the rear of the existing building, which was applied for under DA-56-2022, yet to be determined.

Clause 37(1) of the Environmental Planning and Assessment Regulations 2021 states:

*“An applicant may, at any time before a development application is determined, apply to the consent authority for an amendment to the development application.”*

During the assessment of Development Application DA-56-2022, it was discovered Council held no approvals for the small dwelling at the rear of the subject property even though under the contract of sale, it included house under improvements giving the purchasers the impression that the house was approved. The purpose of this amendment is to seek to have the small dwelling approved.

The new revised plans clearly show all buildings on the site, including the ablutions block, which forms part of the new dwelling.

For clarification, this application is not proposed or seeking to operate any commercial premises or activity from the subject site. It only seeks to use the subject for residential use.

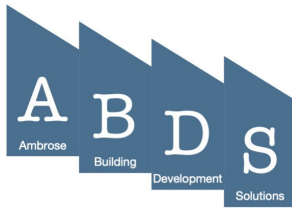
When the application was lodged in September 2022, Council notified the application and one submission was received. Responses to the matters raised are detailed below.

*Is the proposed structure at the rear of the building a carport or shed?*

Carports and Sheds are not defined under the Environmental Planning and Assessment Act and Regulations or under the Uralla Local Environmental Plan 2012.

Clause 1.5 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Code SEPP) defines a carport as:

*“a roofed structure for the shelter of motor vehicles that has 2 or more sides open and not less than one-third of its perimeter open.”*



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The proposed carport at the rear of the building clearly satisfies this definition, being a roofed structure that has three sides open and more than one-third of the perimeter open. This definition under this EPI does not limit the size of the carport and holds considerably more weight in planning than the Macquarie Dictionary.

Furthermore, the Code SEPP lists carports under ancillary development.

The submission raises questions about the size of a typical carport, suggesting the proposed development could not be considered a carport due to its size. The Code SEPP does not support this comment. The definition does not set a size limit for carports. The Code SEPP only establishes exemption provisions on the size of a carport, and if these can not be satisfied, the development is not exempt and requires development consent.

The proposed carport is, therefore, not a shed and has been correctly classified.

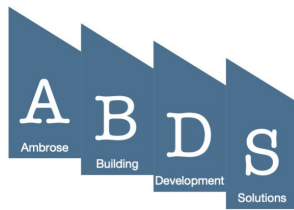
*The size of the carport is out of proportion with existing dwelling and surrounding landuses.*

While the proposed carport is large, it is located at the rear of the existing building erected on the subject site with considerable setbacks of 2.7m (south), 3m (east) and 3.2m (north). The roof has been designed to allow the property owners to park a large campervan under the carport. The campervan is currently parked outside in the weather awaiting this determination.

The site has no height limit set under Uralla Local Environmental Plan 2012. The Uralla Development Control Plan 2021 sets 8 metres as the maximum height for buildings in residential zones. The proposed carport has a total height of 5.591m from the natural ground level to the ridge height. The proportions of the carport are minimised considerably due to the carport only being a roof with no walls. The houses on either side of the subject site are quite large, with steeper roof pitches which have resulted in roof ridge heights higher than the proposed carport. In this case, in consideration of the Land and Environment Court principles, the appropriateness of the carports' height, bulk, and scale in relation to the existing planning controls applicable to the subject site are considered to comply, and this proposed carport can be reasonably expected under the planning controls.

*The potential for overshadowing.*

The attached shadow diagram demonstrates that the proposed carport will not overshadow the adjoining property between 9 am and 3 pm on the 22 June. The assertion that future solar panels made be overshadowed is shown not to occur.



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*The height of the proposed shed seems to be too great, given its intended purpose for storage.*

As stated previously, the height of the carport is due to the overall height of the property owner's campervan and the construction of the carport being a kit and not structurally attached to the existing building. In addition, the carport is proposed to be located over the top of the proposed dwelling and amenities. In any event, the overall height of the carport is significantly less than the 8m permitted under Uralla Development Control Plan 2021.

*The proposed shed is too large to be considered as ancillary to the small 'dwelling' presently onsite.*

The definition of ancillary under the Code SEPP provides no scale indication, only that the carport is ancillary to a dwelling on the site. In this case, the carport can be considered ancillary.

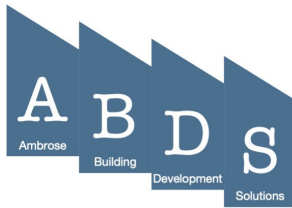
*The use of the site for a vehicle body repair workshop or vehicle repair station as both these uses are prohibited in the zone.*

This development application does not seek consent for a vehicle body repair workshop or vehicle repair station. Council must only assess the application that has been lodged. A condition could be placed on the consent that no commercial or business activity is carryout on the subject site.

*If the residential unit is not used as a residence at all, then the use of the site for residential (or other) storage would constitute a storage premises, which is a prohibited use in this zone.*

Under the Uralla Local Environmental Plan 2012, a storage premises is defined as

*“a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and where the storage is not ancillary to any industry, business premises or retail premises on the same parcel of land, and includes self-storage units, but does not include a heavy industrial storage establishment, local distribution premises or a warehouse or distribution centre.”*



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This definition requires that the building or place used for the storage of goods, materials, plant, or machinery must be for a commercial purpose. The storage of material on the subject site can only satisfy the definition if the storage is for a commercial purposes, which is not what is proposed or intended. Therefore, the use can not be considered a storage premises because no commercial purpose is proposed.

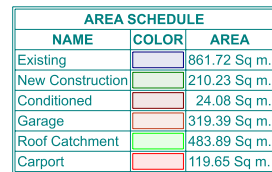
I trust this will allow Council to finalise the assessment of the Development Application.

Should you have any questions or concerns, please give me a call.

Yours truly,

A handwritten signature in black ink, appearing to be 'ABDS', is written over a light blue, stylized signature line.

Ambrose BDS



SCALE: 1:150

| OPENING SCHEDULE |                               |        |       |            |
|------------------|-------------------------------|--------|-------|------------|
| TYPE             | PRODUCT CODE                  | HEIGHT | WIDTH | OPENING ID |
| WINDOW           | QS0918-MODIFIED               | 900    | 2 570 | W1         |
| WINDOW           | QS0918-MODIFIED               | 900    | 2 570 | W2         |
| GARAGE           | 2100 x 2400 - roller-MODIFIED | 2 125  | 2 727 | RD1        |

SCALE: 1:100

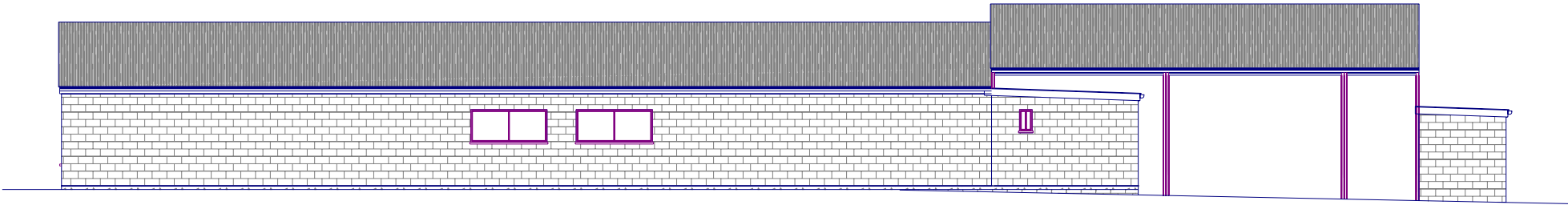
| BASIX Certificate Number: 13930895  |                               |
|---|-------------------------------|
| <b>Summary of BASIX Commitments</b> Refer to BASIX Certificate for full details |                               |
| <b>Landscaping</b>  |                               |
| Total Area of Garden and Lawn (m2)  | 100 m2                        |
| Area of Indigenous plants (m2)  | 25 m2                         |
| <b>Water</b>  |                               |
| Rainwater tank capacity (Ltrs)  | 2500 Ltrs                     |
| Roof Area for Collection (m2)   | 250 m2                        |
| Rain water connections to : Toilets   | No                            |
| Cold Water Clothes Washer   | No                            |
| At least one Outdoor Tap  | Yes                           |
| All Hot water systems   | No                            |
| All Cold water systems  | No                            |
| Rating of all Shower Heads Installed  | 4 Star                        |
| Rating of all Toilet Cisterns   | 5 Star                        |
| Rating of Kitchen Taps  | 6 Star                        |
| Rating of Basin Taps  | 6 Star                        |
| <b>Thermal Comfort</b>  |                               |
| Number of Stores  | 1 Storey                      |
| Conditioned Floor Area must not exceed (m2)                                     | 300 m2                        |
| External Wall Insulation (R - Value)  | R 1 00                        |
| Internal Wall sheath with Garage (R - Value)                                    | R 0.83                        |
| Floor Insulation (R - Value)  | N/A                           |
| Ceiling Insulation (R - Value)  | R 4 00                        |
| Roof Insulation   | Foil Sarking                  |
| <b>Energy</b>   |                               |
| Hot Water System  | Gas Instant                   |
| Cooling System (Living Room)  | No active cooling             |
| Cooling System (Bedrooms)   | No active cooling             |
| Heating System (Living Room)  | No active heating             |
| Heating System (Bedrooms)   | No active heating             |
| Wood Heater   | No                            |
| Bathroom Exhaust System   | Mech fan ducted manual switch |
| Kitchen Exhaust System  | Window ventilation            |
| Laundry Exhaust System  | Mech fan ducted manual switch |
| Artificial Lighting   | LED                           |
| Alternative Energy  | 0.00 Kilowatt                 |
| Cooking (Cooktop / Oven)  | Elect / Elect                 |
| Refrigerator Ventilation  | Yes                           |
| External Clothes Line   | Yes                           |
| Indoor or Covered Clothes line  | Yes                           |

## BASIX COMMITMENTS

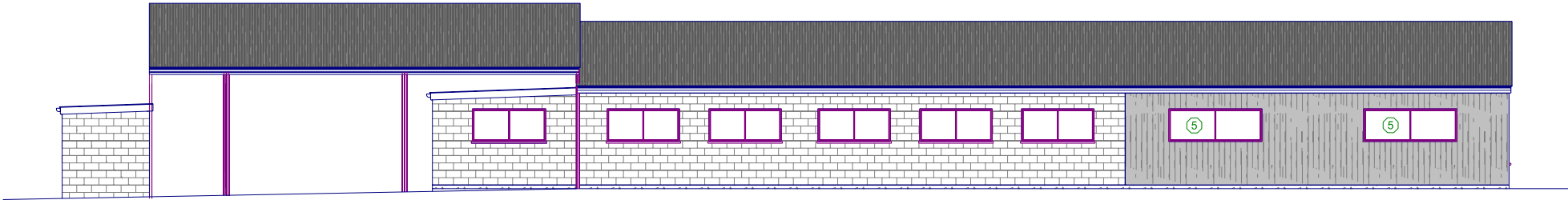
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|   | 17/02/22 | For Submission                    | Site Address: 132 Bridge St, Uralla, NSW 2358 | New England Drafting                                    |  |  |
|   | 16/05/23 | Amended For CC and NCC compliance | PH: 0490 418 255 E:                           | PHONE: 0417-303 343 Email: greg@newenglandddrafting.com |  |  |
|   | 12/02/24 | Amended For DA Submission         | Reference No:                                 | Printed: 14/02/2024 Page: 1 DRAWN BY: Greg SEI BY       |  |  |
|   |          |                                   | 2021-041 EXTENSION / CARPORT / CHANGE OF USE  |   |  |  |



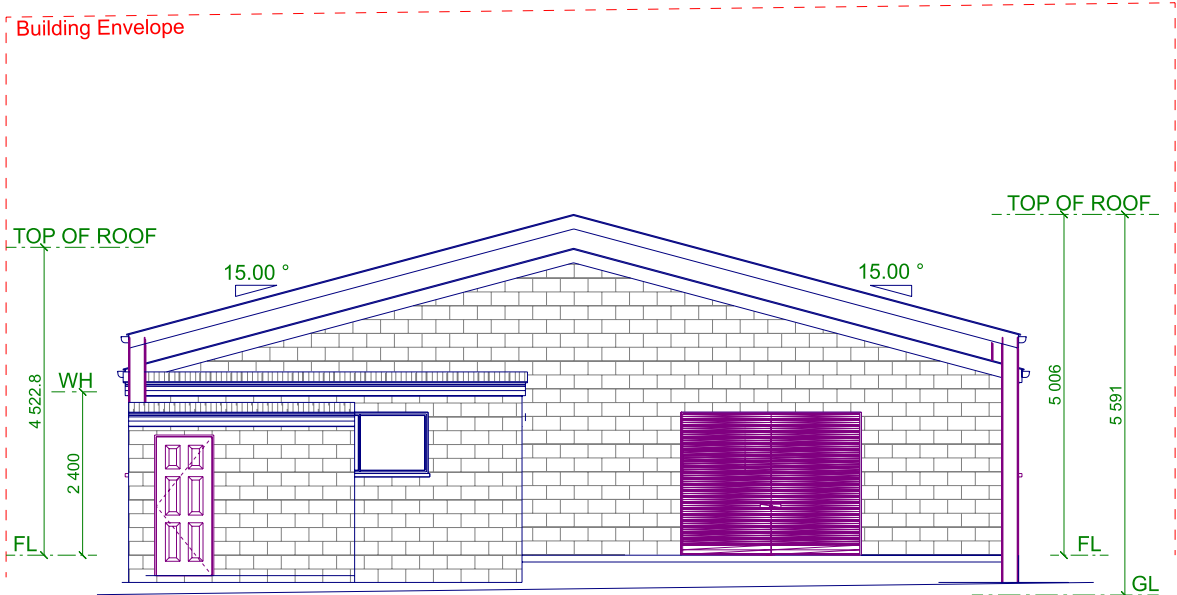
Page 181



WEST ELEVATION  
SCALE: 1:150



EAST ELEVATION  
SCALE: 1:150



SOUTH ELEVATION  
SCALE: 1:100



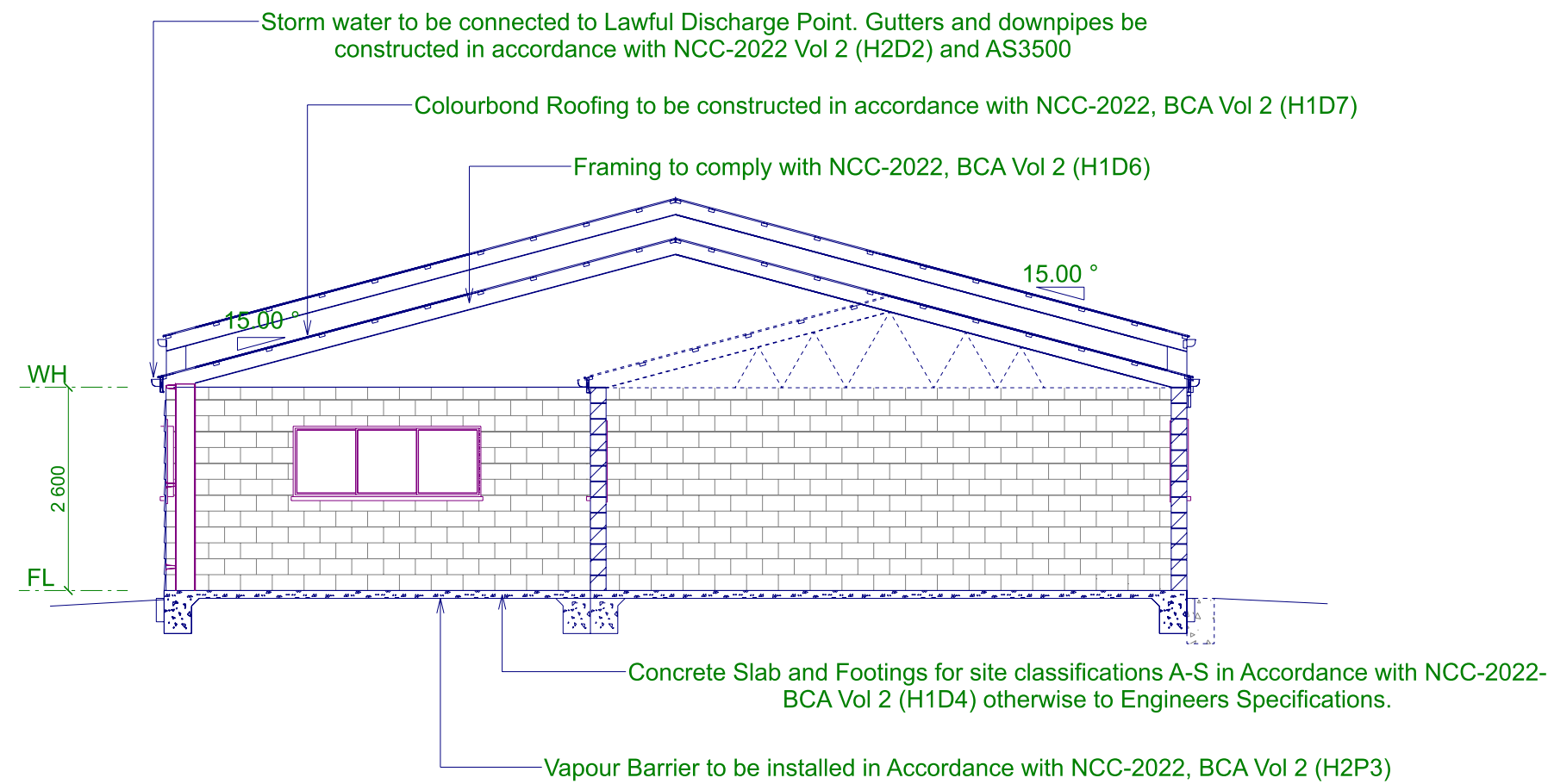
NORTH ELEVATION  
SCALE: 1:100

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| 12/02/24 | Amended For DA Submission         |

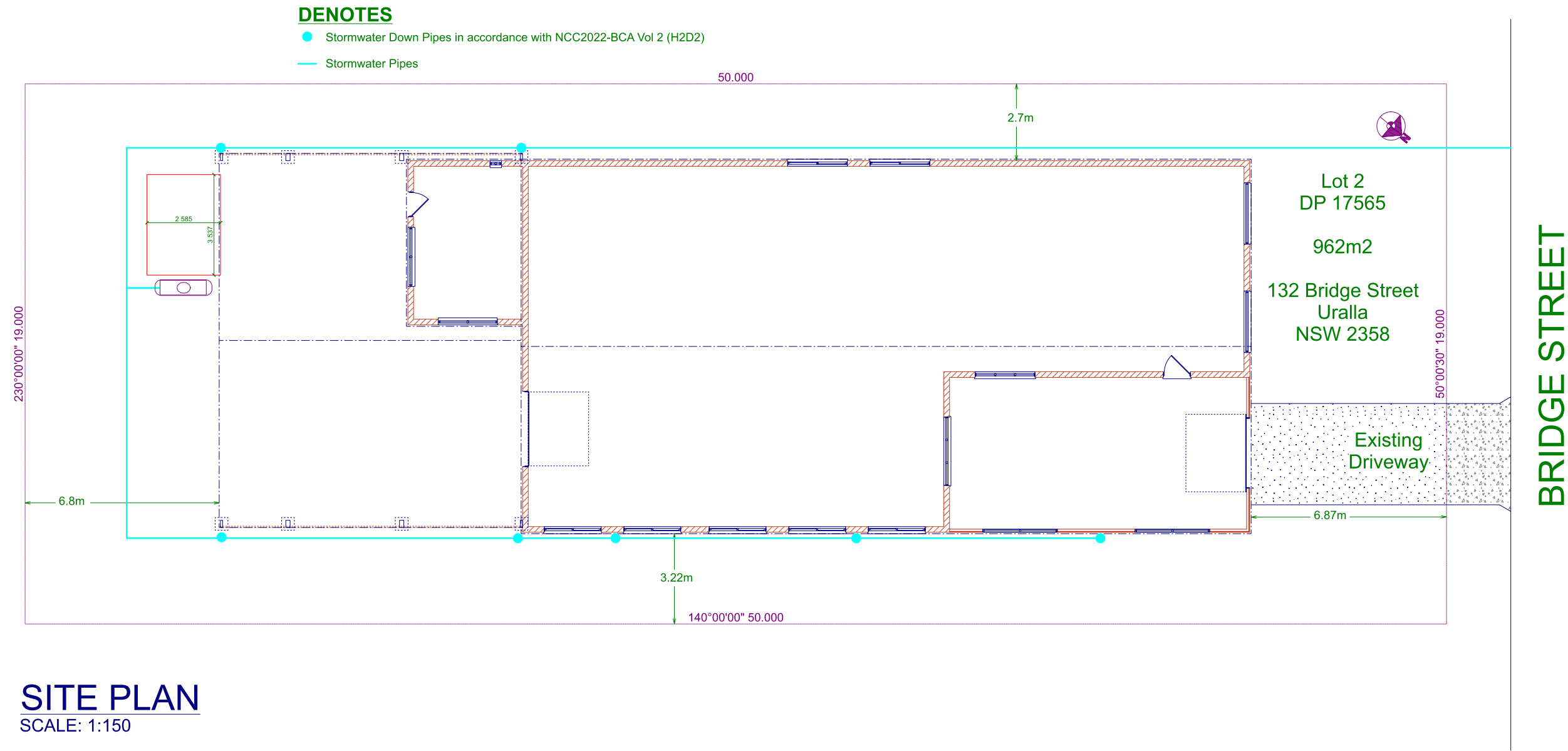
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|---------------|-------------------------------------|
| Customer:     | THACKWAY, Rob & Loren               |
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| PH:           | 0490 418 255                        |
| E:            |                                     |
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|               | EXTENSION / CARPORT / CHANGE OF USE |

|                       |                                    |
|-----------------------|------------------------------------|
| ELEVATIONS            |                                    |
| New England Drafting  |                                    |
| PHONE: 0417-303 343   | Email: greg@newenglanddrafting.com |
| Printed: 14/02/2024   | Page: 3                            |
| DRAWN BY: Greg SFI RY |                                    |



**CROSS SECTION A**  
SCALE: 1:75

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|  | 18/02/22 | For Submission                    | Site Address: 132 Bridge St, Uralla, NSW 2358              |  |
|  | 16/05/23 | Amended For CC and NCC compliance | PH: 0490 418 255 E:  | New England Drafting                                   |
|  | 12/02/24 | Amended For DA Submission         | Reference No: 2021-041 EXTENSION / CARPORT / CHANGE OF USE |  |
|  |          |                                   | Printed: 14/02/2024 Page: 4 DRAWN BY: Greg SFI RY          | PHONE: 0417-303 343 Email: greg@newenglanddrafting.com |



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|               |                                     |
|---------------|-------------------------------------|
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| PH:           | 0490 418 255                        |
| E:            |                                     |
| Reference No: | 2021-041                            |
|               | EXTENSION / CARPORT / CHANGE OF USE |

|                       |                                    |
|-----------------------|------------------------------------|
| SITE PLAN             |                                    |
| New England Drafting  |                                    |
| PHONE: 0417-303 343   | Email: greg@newenglanddrafting.com |
| Printed: 14/02/2024   | Page: 5                            |
| DRAWN BY: Greg SFI RY |                                    |



SITE ANALYSIS

SCALE: NOT TO SCALE

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|  | 18/02/22 | For Submission                    | Site Address:132 Bridge St, Uralla, NSW 2358 | New England Drafting                                   |  |
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|  | 12/02/24 | Amended For DA Submission         | Reference No:<br>2021-041                    | EXTENSION / CARPORT / CHANGE OF USE                    |  |
|  |          |                                   |  | Printed: 14/02/2024   Page: 6   DRAWN BY: Greg SFI RY  |  |



Building and Design Specifications

STANDARDS

The Builder shall ensure the building complies with the following Regulations and Standards:

- NCC2022 - Building Code of Australia
- ABCB Housing Provisions
- AS 1288 Glazing Code
- AS 1582 Roofing
- AS 1926 Swimming Pool Safety
- AS 3000 Electrical
- AS 3660 Termite Code
- AS 1428 Design for Access
- AS 1684 Timber Framing
- AS 2870 Slabs and Footings
- AS 3500 Plumbing Code
- AS 3740 Waterproofing
- Nash Standards for Residential and Low Rise Steel Framing and all other standards nominated in the NCC-BCA and ABCB Housing Provisions

STRUCTURE: NCC2022-BCA Part H1

Deemed-to-Satisfy Provisions

**Deemed-to-satisfy provisions:** NCC2022-BCA, Vol 2 (H1D1)  
**Structural provisions:** NCC2022-BCA, Vol 2 (H1D2)  
**Site Preparation:** NCC2022-BCA, Vol 2 (H1D3)  
**Footings and Slabs:** NCC2022-BCA, Vol 2 (H1D4)  
**Masonry:** NCC2022-BCA, Vol 2 (H1D5)  
**Framing:** NCC2022-BCA, Vol 2 (H1D6)  
**Roof and wall cladding:** NCC2022-BCA, Vol 2 (H1D7)  
**Glazing:** NCC2022-BCA, Vol 2 (H1D8)  
**Flood hazard areas:** NCC2022-BCA, Vol 2 (H1D10)  
**Attachment of decks & balconies using waling plates:** NCC2022-BCA, Vol 2 (H1D11)

DAMP & WEATHER PROOFING: NCC2022-BCA Part H2

Performance Requirements

**Rainwater management:** NCC2022-BCA, Vol 2 (H2P1)  
**Weatherproofing:** NCC2022-BCA, Vol 2 (H2P2)  
**Rising damp:** NCC2022-BCA, Vol 2 (H2P3)  
**Drainage from swimming pools:** NCC2022-BCA, Vol 2 (H2P4)

Deemed-to-Satisfy Provisions

**Deemed-to-satisfy provisions:** NCC2022-BCA, Vol 2 (H2D1)  
**Drainage:** NCC2022-BCA, Vol 2 (H2D2)  
**Footings and slabs:** NCC2022-BCA, Vol 2 (H2D3)  
**Masonry:** NCC2022-BCA, Vol 2 (H2D4)  
**Subfloor ventilation:** NCC2022-BCA, Vol 2 (H2D5)  
**Roof and wall cladding:** NCC2022-BCA, Vol 2 (H2D6)  
**Glazing:** NCC2022-BCA, Vol 2 (H2D7)  
**External waterproofing:** NCC2022-BCA, Vol 2 (H2D8)

FIRE SAFETY: NCC2022-BCA Part H3

Performance Requirements

**Spread of fire:** NCC2022-BCA, Vol 2 (H3P1)  
**Automatic warning for occupants:** NCC2022-BCA, Vol 2 (H3P2)  
**Deemed-to-Satisfy Provisions**  
**Deemed-to-satisfy provisions:** NCC2022-BCA, Vol 2 (H3D1)  
**Fire hazard properties and non-combustible building elements:** NCC2022-BCA, Vol 2 (H3D2)  
**Fire separation of external walls:** NCC2022-BCA, Vol 2 (H3D3)  
**Fire protection of separating walls and floors:** NCC2022-BCA, Vol 2 (H3D4)  
**Fire separation of garage-top-dwellings:** NCC2022-BCA, Vol 2 (H3D5)  
**Smoke alarms and evacuation lighting:** NCC2022-BCA, Vol 2 (H3D6)

HEALTH and AMENITY: NCC2022-BCA Part H4

Performance Requirements

**Wet areas:** NCC2022-BCA, Vol 2 (H4P1)  
**Room heights:** NCC2022-BCA, Vol 2 (H4P2)  
**Personal hygiene and other facilities:** NCC2022-BCA, Vol 2 (H4P3)  
**Lighting:** NCC2022-BCA, Vol 2 (H4P4)  
**Ventilation:** NCC2022-BCA, Vol 2 (H4P5)  
**Sound insulation:** NCC2022-BCA, Vol 2 (H4P6)  
**Condensation and water vapour management:** NCC2022-BCA, Vol 2 (H4P7)

Deemed-to-Satisfy Provisions

**Deemed-to-satisfy provisions:** NCC2022-BCA, Vol 2 (H4D1)  
**Wet areas:** NCC2022-BCA, Vol 2 (H4D2)  
**Materials & installation of wet area components & systems:** NCC2022-BCA, Vol 2 (H4D3)  
**Room heights:** NCC2022-BCA, Vol 2 (H4D4)  
**Wet areas:** NCC2022-BCA, Vol 2 (H4D2)  
**Facilities:** NCC2022-BCA, Vol 2 (H4D5)  
**Light:** NCC2022-BCA, Vol 2 (H4D6)  
**Ventilation:** NCC2022-BCA, Vol 2 (H4D7)  
**Sound insulation:** NCC2022-BCA, Vol 2 (H4D8)  
**Condensation management:** NCC2022-BCA, Vol 2 (H4D9)

SAFE MOVEMENT & ACCESS: NCC2022-BCA Part H5

Performance Requirements

**Movement to and within a building:** NCC2022-BCA, Vol 2 (H5P1)  
**Fall prevention barriers:** NCC2022-BCA, Vol 2 (H5P2)  
**Deemed-to-Satisfy Provisions**  
**Deemed-to-satisfy provisions:** NCC2022-BCA, Vol 2 (H5D1)  
**Stairway and ramp construction:** NCC2022-BCA, Vol 2 (H5D2)  
**Barriers and handrail:** NCC2022-BCA, Vol 2 (H5D3)

ENERGY EFFICIENCY: NCC2022-BCA Part H6

Performance Requirements

**Thermal performance:** NCC2022-BCA, Vol 2 (H6P1)  
**Energy usage:** NCC2022-BCA, Vol 2 (H6P2)  
**Deemed-to-Satisfy Provisions**  
**Deemed-to-satisfy provisions:** NCC2022-BCA, Vol 2 (H6D1)  
**Application of part H6:** NCC2022-BCA, Vol 2 (H6D2)

ANCILLARY PROVISIONS & ADDITIONAL CONSTRUCTION REQUIREMENTS: NCC2022-BCA Part H7

Performance Requirements

**Swimming pool access:** NCC2022-BCA, Vol 2 (H7P1)  
**Swimming pool reticulation system:** NCC2022-BCA, Vol 2 (H7P2)  
**Heating appliances:** NCC2022-BCA, Vol 2 (H7P3)  
**Building in alpine areas:** NCC2022-BCA, Vol 2 (H7P4)  
**Building in bushfire prone areas:** NCC2022-BCA, Vol 2 (H7P5)  
**Private bushfire shelters:** NCC2022-BCA, Vol 2 (H7P6)  
**Deemed-to-Satisfy Provisions**  
**Deemed-to-satisfy provisions:** NCC2022-BCA, Vol 2 (H7D1)  
**Swimming pools:** NCC2022-BCA, Vol 2 (H7D2)  
**Construction in alpine areas:** NCC2022-BCA, Vol 2 (H7D3)  
**Construction in bushfire prone areas:** NCC2022-BCA, Vol 2 (H7D4)  
**Heating appliances, fireplaces, chimney and flues:** NCC2022-BCA, Vol 2 (H7D5)

LIVEABLE HOUSING DESIGN: NCC2022-BCA Part H8

Performance Requirements

**Liveable housing design:** NCC2022-BCA, Vol 2 (H8P1)  
**Deemed-to-Satisfy Provisions**  
**Deemed-to-satisfy provisions:** NCC2022-BCA, Vol 2 (H8D1)  
**Liveable housing design:** NCC2022-BCA, Vol 2 (H8D2)

Construction Materials

Foundations:

Concrete Footings Carport  
Raft Concrete Slab Shed Extension

External Walls:

90mm Treated Pine Clad

Internal Walls:

N/A

Roofing:

Colourbond Custom Orb (Colour TBA)

Flooring:

Finished Concrete

Windows:

As per Opening Schedule

Doors:

As per Opening Schedule

Engineers Notes

The Engineer engaged to carry out the design of the slabs and footings shall design the system in accordance with AS 2870, NCC, the Soil Test and all other site conditions such as cut/fill which may exist on the site.

The Engineer shall take into consideration trees and underground pipes which exist or may exist in the future. The Engineer shall collect information on all the piping systems, sewer mains, plumbers sewer drainage pipes, stormwater pipes etc, slab heating (Electric or hydronic if applicable) and design his slab/footings accordingly.

The Engineer shall liaise directly with the Sewer Authority, Plumber, Client and Builder to obtain the above information.

The Engineer engaged to carry out the design of the slabs/subfloor shall take full responsibility for the above. New England Drafting does not accept any responsibility for the Engineers work.

Design Work by Engineer

- Slab Engineering
- Soil Classification
- Structural Engineering
- 

Identified Site Issues

- No apparent site issues identified

Bracing Plan

Bracing Plan by Engineer if required

These are only some of the issues to be considered in the footing design. This is not a complete list of issues. The Engineer shall investigate all the issues which may effect the design and ensure that the design is appropriate and structurally sound.

Special Notes

Owners Notes

Owners should maintain their buildings in accordance with the CSIRO's Homeowners Maintenance Manual.

Clay soils will swell, and shrink with variations in moisture content. This movement may cause damage to the building. In order to minimise the damage we recommend the following precautions be taken -  
a. Provide adequate site drainage to ensure water will not pond against or near the building.  
b. Grade the site within 2m of the building, away from the building, to ensure that no water ponds near the building.  
c. Maintain sewerage and stormwater systems to ensure no leakages occur. If they occur, repair them promptly.  
d. Trees and shrubs should not be planted or allowed to exist, closer than 0.75 times their mature height.  
e. Avoid establishing garden beds next to the building.  
f. Gardens and lawns should be watered adequately but not excessively. Uniform consistent watering can be important to prevent damage to the foundations during dry spells or droughts.

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|                  |                                 |
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| Customer:        | THACKWAY, Rob & Loren           |
| Site Address:    | 132 Bridge St, Uralla, NSW 2358 |
| PH: 0490 418 255 | E:                              |
| Reference No:    | 2021-041                        |

EXTENSION / CARPORT / CHANGE OF USE

SPEC, DETAILS & NOTES

New England Drafting

PHONE: 0417-303 343 Email: greg@newenglanddrafting.com

Printed: 14/02/2024 Page: 7 DRAWN BY: Greg SFI BY



## Infrastructure & Development

**P:** 02 6778 6300

**F:** 02 6778 6349

**E:** council@uralla.nsw.gov.au

32 Salisbury Street, Uralla NSW 2358

PO Box 106, Uralla NSW 2358

**ABN:** 55 868 272 018

Mr A Hallman  
Ambrose Building Development Services Pty Ltd  
25 Ailsa Crescent  
ARMIDALE NSW 2350

Dear Mr Hallman,

### Development Application

|                           |   |
|---------------------------|---|
| <b>Proposed Activity:</b> | <b>CHANGE OF USE – COMMERCIAL PREMISES TO A DWELLING – ALTERATIONS AND ADDITIONS TO EXISTING BUILDING INCLUDING SKILLION ROOF FOR A CARPORT AND ATTACHED CAR GARAGE</b> |
| <b>Application No.:</b>   | <b>DA-56-2022</b>   |
| <b>Address:</b>           | <b>132 BRIDGE STREET URALLA</b>   |

I am pleased to advise that consent has been granted for the above Development Application. The consent documents are enclosed. Please contact Council to organise a meeting with the Planner to discuss the conditions of the Notice of Determination if required.

The Principal Certifier is unable to complete any inspections unless the Notice of Commencement and a copy of the builder's Home Warranty Insurance or your Owner Builder permit has been provided to the Certifier.

It is your responsibility to be aware of all covenants affecting the property, and to ensure that this approval does not contravene them in any way.

Prior to any works being undertaken within the road reserve, (including the footpath), a Section 138 approval must be obtained from Council. Please contact Council to obtain an application form.

Should you have further enquiries, please do not hesitate to contact the Council Officer listed below or Council's offices by telephoning (02) 6778 6300.

Yours sincerely,

Simon Vivers  
**Interim Manager Development and Planning**

**Encl:**

\*\*\*\*\*

**Council Officer:** Simon Vivers – Interim Manager Development & Planning  
**Telephone:** (02) 6778 6300  
**Email:** council@uralla.nsw.gov.au





# Uralla Shire Council

Address correspondence to:  
General Manager  
32 Salisbury Street  
URALLA NSW 2358

Phone: (02) 6778 6300  
Fax: (02) 6778 6349  
Email: [council@uralla.nsw.gov.au](mailto:council@uralla.nsw.gov.au)  
ABN 55 868 272 018

## NOTICE OF DETERMINATION

Issued under *Environmental Planning and Assessment Act 1979* Section 4.18(1)

### DEVELOPMENT APPLICATION

|   |   |                                   |  |
|---|---|-----------------------------------|--|
| <b>APPLICANT</b>  |   | <i>Application No: DA-56-2022</i> |  |
| <b>Applicant Name:</b>  | Ambrose Building Development Services Pty Ltd   |                                   |  |
| <b>Applicant Address:</b>   | 25 Ailsa Crescent, ARMIDALE NSW 2350  |                                   |  |
| <b>OWNER</b>  |   |                                   |  |
| <b>Owner Name:</b>  | Mr R J Thackway   |                                   |  |
| <b>Owner Address:</b>   | PO Box 267, URALLA NSW 2358   |                                   |  |
| <b>LAND TO BE DEVELOPED</b>   |   |                                   |  |
| <b>Property Details:</b>  | 132 Bridge Street URALLA  |                                   |  |
| <b>Legal Description:</b>   | Lot: 2 DP: 17565  |                                   |  |
| <b>Land Use Zone:</b>   | R1 – General Residential  |                                   |  |
| <b>DEVELOPMENT</b>  |   |                                   |  |
| <b>Description:</b>   | Part Change of Use – Commercial Premises to a Dwelling<br>Alterations and Additions to Existing Building including Rear Extension (Skillion Style Roof for a Carport) and attached front Car Garage and associated work |                                   |  |
| <b>DETERMINATION – APPROVAL</b>   |   |                                   |  |
| <b>Decision Date:</b>   |   | <b>Operational Date:</b>          |  |
|   |   | <b>Lapse Date:</b>                |  |
| <b>CONDITIONS</b>   |   |                                   |  |
| Please read all conditions carefully. The applicant/developer may arrange to meet with Council to clarify, if necessary, the precise requirements of the conditions of this consent.                                |   |                                   |  |
| <b>Please Note:</b> A copy of all conditions contained in this consent are to be provided to contractors and subcontractors working on the site, to ensure all work is carried out in accordance with this consent. |   |                                   |  |
| <b>Approved Plans:</b> New England Drafting – Reference No. 2021-041, 7 pages, dated 12 February 2014 (4 <sup>th</sup> Revision);   |   |                                   |  |
| <b>BASIX Certificate</b> – Certificate Number 1393089S, dated 16 May 2023   |   |                                   |  |

---

## Uralla Shire Council – Development Application Determination

---

### ***PRESCRIBED CONDITIONS (under Environmental Planning and Assessment Regulation 2000)***

#### ***Compliance Building Code of Australia and insurance requirements under Home Building Act 1989***

**Please Note:** A reference to the National Construction Code is a reference to that Code as in force on the date the application is made for the relevant:

- (a) development consent, in the case of a temporary structure that is an entertainment venue, or
- (b) construction certificate, in every other case.

1.
  1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.
  2. It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.
  3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.
  4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.
  5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
  6. This section does not apply—
    - a) to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
    - b) to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

#### ***Erection of signs***

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## Uralla Shire Council – Development Application Determination

2.
  1. This section applies to a development consent for development involving building work, subdivision work or demolition work.
  2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—
    - a) showing the name, address and telephone number of the principal certifier for the work, and
    - b) showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
    - c) stating that unauthorised entry to the work site is prohibited.
  3. The sign must be—
    - a) maintained while the building work, subdivision work or demolition work is being carried out, and
    - b) removed when the work has been completed.
  4. This section does not apply in relation to—
    - a) building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
    - b) Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

### Notification of *Home Building Act 1989* requirements

3.
  1. This section applies to a development consent for development involving residential building work if the principal certifier is not the council.
  2. It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following—
    - a) for work that requires a principal contractor to be appointed—
      - i) the name and licence number of the principal contractor, and
      - ii) the name of the insurer of the work under the Home Building Act 1989, Part 6,
    - b) for work to be carried out by an owner-builder—
      - i) the name of the owner-builder, and
      - ii) if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit.
  3. If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information.
  4. This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

### Fulfillment of BASIX commitments

4. It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled—
  1. BASIX development,
  2. BASIX optional development, if the development application was accompanied by a BASIX certificate.

### GENERAL CONDITIONS

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## Uralla Shire Council – Development Application Determination

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5. The development shall be implemented in accordance with:
- (a) All documentation and correspondence submitted by the applicant, or their agents, in support of the Development Application,
  - (b) The details set out on the plans approved and stamped by authorised officers of Council, except as amended by the conditions of this development consent.
- Reason: To ensure that the development proceeds in the manner proposed by the applicant and approved by Council.*
6. The owner of the property is to ensure that any structure is installed:
- (a) to meet the setback requirements of the approved plans,
  - (b) to be located within the confines of the lot, and;
  - (c) so that it does not interfere with any easements or covenants upon the land (if required).
- Reason: To avoid any structures being erected in a location where it would be inappropriate.*
7. In accordance with the provisions of Section 6.6 and 6.7 of the Environmental Planning and Assessment Act 1979, construction works approved by this consent must not commence until:
- a) a Construction Certificate has been issued;
  - b) the NSW Planning Portal has been advised of:
    - (i) the intention to commence work; and
    - (ii) the specific Principal Certifying Authority (building inspector) that has been appointed to the project.
- Documentation required under this condition must show that the proposal complies with all relevant development consent conditions and is not inconsistent with the approved plans, the Building Code of Australia and the relevant Australian Standards.
- ADVISING: Unless a Private Certifier is engaged, a Construction Certificate application is to be made through the NSW Planning Portal.
8. Occupancy of the building is not to take place until the Principal Certifier (PC) has carried out a final inspection and an Occupation Certificate issued.
- Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and to restrict the use of the premises until the terms of the Development Consent have been complied with so as to ensure the health and safety of occupants of the building.*
9. Roof water is to be disposed in a manner that does not cause a nuisance for neighbouring properties, by one of the following methods:
- (a) By piping to the street gutter in Bridge Street.
  - (b) By piping to a rainwater tank and then via the overflow to the street gutter in Bridge Street.
- Reason: To alleviate any potential stormwater problems with respect to the buildings on the allotment or adjoining allotments.*
10. All works are to be executed in a good and workmanlike manner and all materials are to be installed as per manufacturers' instructions and any applicable Australian Standards.
- Reason: To ensure that the building work is completed in accordance with the approval and is in a safe and healthy condition for use by occupants.*
11. All external lightning is to be positioned and directed so as to prevent the intrusion of light to the adjoining premises.
- Reason: To prevent the intrusion of light onto adjoining premises.*
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## Uralla Shire Council – Development Application Determination

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12. Any rainwater tank must be installed so that it is:
- (a) Not interconnected in any way with Council's water supply without a backflow prevention device.
  - (b) The overflow is to be connected to the stormwater system in Bridge Street.
- Reason: To prevent structural damage to buildings and protect public health.*
13. The responsible person for plumbing and drainage work must ensure that the responsible person has given Council a notice of work in an approved form that specifies the work to be carried out and the responsible person for the work.
- The notice of work must be provided no later than 20 business days before the work concerned is carried out in the case of work that involves a proposed alternative solution, or no later than 2 business days before the work concerned is carried out in any other case.
- Reason: Statutory requirement.*
14. The responsible person for plumbing and drainage work must provide Council, and the person for whom the work is carried out, with a certificate of compliance within 2 business days after the work is completed.
- Reason: Statutory requirement.*
- Note: A certificate of compliance is a written document that certifies that the plumbing and drainage work to which it relates is code compliant.*
15. **USE**
- Unless exempt under an Environmental Planning Instrument, the building shall not be occupied on any commercial or industrial basis without the benefit of planning permission.

### CONDITIONS TO BE COMPLETED PRIOR TO CONSTRUCTION COMMENCING

16. The owner/s of the property are to give Council written notice of the intention to commence works and the appointment of a Principal Certifier (if the PC is not Council) at least two days before the proposed date of commencement.
- Reason: To ensure compliance with the Environmental Planning and Assessment Regulation 2021*

### CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION

17. The applicant shall ensure that noise pollution is minimised during the course of construction. The use of power tools and/or similar noise producing activities shall be limited to the following hours:-
- |                          |   |
|--------------------------|---|
| Monday to Saturday       | 7.00 AM to 6.00 PM                            |
| Sunday & public Holidays | No construction activities are to take place. |
- Reason: To ensure that public amenity is not unduly affected by noise.*
18. Any demolition work to be undertaken in accordance with Australian Standard 2601 – The Demolition of Structures.
- Reason: To ensure that demolition work is undertaken in a manner that is safe and minimises environmental disturbance.*

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## Uralla Shire Council – Development Application Determination

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19. Development involving bonded asbestos material and friable asbestos material:
- (a) work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 458 of the Work Health and Safety Regulation 2011,
  - (b) the person having the benefit of the development consent must provide the principal certifier with a copy of a signed contract with such a person before any development pursuant to the consent commences,
  - (c) any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the bonded asbestos material or friable asbestos material is to be delivered,
  - (d) if the contract indicates that bonded asbestos material or friable asbestos material will be removed to a specified landfill site, the person having the benefit of the development consent must give the principal certifier a copy of a receipt from the operator of the landfill site stating that all the asbestos material referred to in the contract has been received by the operator.

*Reason: To ensure that demolition work is undertaken in a manner that is safe and minimises environmental disturbance.*

20. While site work is being carried out, if a person reasonably suspects a relic or Aboriginal object is discovered:
- 1. the work in the area of the discovery must cease immediately;
  - 2. the following must be notified
    - a) for a relic – the Heritage Council; or
    - b) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.

Site work may recommence at a time confirmed in writing by:

- a) for a relic – the Heritage Council; or
  - b) for an Aboriginal object – the person who is the authority for the protection of Aboriginal objects and Aboriginal places in New South Wales under the National Parks and Wildlife Act 1974, section 85.
21. While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.

### **CONDITIONS TO BE COMPLETED PRIOR TO ISSUE OF OCCUPATION CERTIFICATE**

22. **Building Information Certificate**

A Building Information Certificate must be obtained for the existing dwelling. An application for a Building Information Certificate is lodged online via the NSW Planning Portal and must be accompanied by a floor plan, an explanation from the property owner as to why the works were undertaken without consent and any relevant construction plans showing the unauthorised works.

*Note: A Building Information Certificate does not prevent Council from issuing notices or orders in relation to unauthorised works or fire safety matters, and it does not certify that the building complies with legal and safety requirements.*

## Uralla Shire Council – Development Application Determination

23. Any required plumbing and drainage work shall comply with the Plumbing and Drainage Act 2011, Plumbing and Drainage Australian Standard AS3500, Plumbing Regulations 2017 and the Plumbing Code of Australia (NCC 2016).

Prior to issue of an occupation certificate, the principal certifier shall be provided with a copy of the Final Plumbing and Drainage Certificate confirming compliance with the Plumbing and Drainage Act 2011.

24. The relevant Occupation Certificate must be obtained before the use of the approved development (i.e. occupation) commences, in accordance with the Environmental Planning & Assessment Act 1979 and to ensure the health and safety of the building's occupants.

ADVISING: Failure to obtain an Occupation Certificate is an offence under the legislation

### ADVISORY NOTES – GENERAL

- A It is possible that a covenant may affect the land which is the subject of this consent. The grant of this consent does not necessarily override that covenant. You should seek legal advice regarding the effect of any covenants which affect the land.
- B Any alteration to the drawings and/or documentation shall be submitted for the approval of Council. Such alterations may require the lodgement of an application to amend the consent under s4.55 of the Act or a fresh development application. No works other than those approved under this consent shall be carried out without the prior approval of Council.
- C Prior to any works being undertaken within the road reserve, (including the footpath), a Section 138 of *Roads Act 1993* approval must be obtained from Council. Please contact Council to obtain an application form.
- D Pursuant to Section 94(1)(a) of the *Local Government Act 1993* and *Local Government (General) Regulation 2021*, prior to any water main extension work or sewer main extension work the developer is to apply for a Section 68 Certificate approval and submit proposed plans.

### REASONS FOR THE ABOVE CONDITIONS

Given Council's duty to consider the matters set out in Section 4.15 (1) of the Environmental Planning and Assessment Act 1979 (as amended), the above conditions have been placed on the consent in accordance with Section 4.17 of the Environmental Planning and Assessment Act 1979 (as amended).

### RIGHT OF APPEAL

If you are dissatisfied with this decision, Sections 8.7 and 8.10 of the Environmental Planning and Assessment Act 1979 give you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice. *Note: Sections 8.7 and 8.10 of the Environmental Planning and Assessment Act 1979 does not apply to the determination of a development application for State significant development or local designated development that has been the subject of a Commission of Inquiry.* Sections 8.2, 8.3, 8.4 and 8.5 of the Environmental Planning and Assessment Act 1979 gives you the right to request a Review of Determination. Upon payment of the prescribed fees, Council will review the determination under the provisions of Sections 8.2, 8.3, 8.4 and 8.5.

**Note:** Sections 8.2, 8.3, 8.4 and 8.5 of the Environmental Planning and Assessment Act 1979 do not apply to the determination of a Designated Development, Integrated Development or Crown Applications.

Simon Vivers  
Interim Manager Development and Planning



## Uralla Shire Council – Development Application Determination

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Per: \_\_\_\_\_ Date: \_\_\_\_\_

**14.4 Works Report Report - March Quarter 2024**

|                       |  |
|-----------------------|--|
| <b>Department:</b>    | <b>Infrastructure &amp; Development</b>                    |
| <b>Prepared By:</b>   | <b>Manager Civil Infrastructure</b>                        |
| <b>Authorised By:</b> | <b>Executive Director Infrastructure &amp; Development</b> |
| <b>Reference:</b>     | UINT/24/3184   |

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

|                  |      |  |
|------------------|------|--|
| <b>Goal:</b>     | 4.   | We are an independent shire and well-governed community          |
|                  | 2.   | We drive the economy to support prosperity                       |
| <b>Strategy:</b> | 4.2. | A strategic, accountable and representative Council              |
|                  | 2.3. | Communities that are well serviced with essential infrastructure |

**SUMMARY**

A report to inform of works undertaken in the past quarter under Council's Infrastructure program.

**RECOMMENDATION**

That Council Note the Report.

**REPORT****Works Undertaken in the Past Quarter (January, February, and March 2024)**

| <b>Main Road Maintenance</b>                  |   |
|---|---|
| MR73 Thunderbolts Way and MR124 Bundarra Road | Bitumen patching of road surface defects. |
| MR73 Thunderbolts Way north                   | Bitumen edge strip correctional work.     |
| MR73 Thunderbolts Way and MR124 Bundarra Road | Roadside slashing                         |
| MR132 Barraba Road                            | Maintenance grading and table drains.     |

| <b>Sealed Roads Maintenance</b>                     |   |
|---|---|
| Uralla streets                                      | Pothole patching. Street sweeping to remove aggregate from intersections and dirt from gutters to clear drainage. |
| Rural sealed roads                                  | Pothole patching, drainage maintenance and roadside slashing  |
| Kingstown Road, Gwydir River Road and Gostwyck Road | Bitumen edge strip work.  |

| <b>Unsealed Roads Maintenance Grading</b>  |   |
|--|---|
| Invergowrie and Dumaresq area unsealed roads, Clerks Creek Road, Georges Creek Road, Bendemeer Road, Warrabah Road | Maintenance grading and table drains.                                       |
| Hillview Road  | Repair of washout and clear obstructed culvert. Renewal of damaged culvert. |

| <b>Construction</b>                           |   |
|---|---|
| MR73 Thunderbolts Way (Scrubby Gully project) | Earthworks including vegetation clearing over the full 5km project. Widening, importation of nominal 100mm gravel |

|  |  |
|--|--|
|  | overlay and base course stabilisation along first 3.8km section. |
|--|--|

| Bridge / Sign |  |
|---------------|--|
| Rural bridges | General deck and scupper drainage outlet clearing. |

| Town and Parks |   |
|----------------|---|
| Uralla         | Maintenance of playground equipment.            |
|                | Weed spraying and mowing                        |
|                | Vegetation control along pathway edges in parks |
|                | Hampden Park car park patching                  |
| Bundarra       | Mowing parks and verges                         |
|                | Urban drainage maintenance                      |
|                | Structures maintenance                          |

#### Works Scheduled To Be Undertaken the following Quarter (April, May, and June 2024)

| Regional Sealed Road Maintenance   |
|--|
| Bitumen patching of surface defects, roadside slashing, and sign maintenance |

| Rural Sealed Roads Maintenance |  |
|--------------------------------|--|
| Rural Roads                    | Bitumen patching of potholes and edges.<br>Patching of pavement defects with bitumen patching to hold until flood damage repairs are approved.<br>Roadside slashing.<br>Sign maintenance |

| Unsealed Roads Maintenance   |  |
|--|--|
| Carlowrie Road, Old Kingstown Road, Hardens Road.<br>Rocky River area unsealed roads and Gostwyck area unsealed roads including Hillview Road. | Maintenance grading.<br>Table drain and mitre drain maintenance.   |
| Hillview Road  | Clearing of obstructed drainage culverts.<br>Renewal of damaged culvert structures including headwalls for improved pavement material retention. |

| Bridge/Sign        |   |
|--------------------|---|
| Bridges in general | Deck drainage outlet clearing where crews are available.                              |
| Signs              | Reinstatement of missing signs or replacement of faded signs that are no longer clear |

| Construction                                      |  |
|---|--|
| MR73 Thunderbolts Way (Scrubby Gully project)     | Bitumen surfacing of the first 3.8km section early in April.<br>Gravel overlay and base course stabilisation over the remaining 1.2km section.<br>Completion of bitumen surfacing. |
| MR73 Thunderbolts Way (Laura Creek project)       | Rehabilitation design of alignment and pavement work to be undertaken through consultants.   |
| Kingstown Road (Kentucky Creek Blackspot project) | Alignment, shoulder widening and roadside barrier design to be undertaken through consultants. Commencement of initial clearing and earthworks.                                    |

| Town Areas  |
|---|
| <p>General maintenance and mowing, parks and cemeteries maintenance in Uralla and Bundarra.</p> <p>Traffic support functions for public events around the Autumn, Easter and Anzac Day period.</p> <p>Clearing of gutters near drainage inlet structures / stormwater pits to enhance the effectiveness of the underground stormwater system.</p> <p>Sign maintenance including replacement of faded signs around schools and the main Bridge Street business area.</p> <p>Line marking of transverse markings including intersection hold lines.</p> |

**ROLLING PROGRAM – MAJOR PROJECTS– TARGETS AND STATUS**

| Project   | Source of Funds                              | Budget    | Target Date for Completion | Status    |
|---|--|-----------|----------------------------|-----------|
| Kingstown Road, Uralla (9.5 to 10.05km)                       | Local Roads Community Infrastructure Phase 3 | \$252,330 | 30-Dec-23                  | Completed |
| Northeys Road, Uralla (1.5 to 2.5km)                          | Local Roads Community Infrastructure Phase 3 | \$277,585 | 30-Dec-23                  | Completed |
| Northeys Road, Uralla (1 to 1.5km)                            | Local Roads Community Infrastructure Phase 3 | \$134,752 | 30-Dec-23                  | Completed |
| Northeys Road, Uralla (2.5 - 3.25km)                          | Local Roads Community Infrastructure Phase 3 | \$212,232 | 30-Dec-23                  | Completed |
| Gostwyck Road, Uralla (8.25 - 9.25km)                         | Local Roads Community Infrastructure Phase 3 | \$277,587 | 30-Dec-23                  | Completed |
| Gostwyck Road, Uralla (2-2.25,2.5-3.75,5.25-5.75,6.25-6.75km) | Local Roads Community Infrastructure Phase 3 | \$410,992 | 30-Dec-23                  | Completed |

|  |   |             |           |  |
|--|---|-------------|-----------|--|
| Kingstown Road, Uralla<br>(9.5 to 10.05km)   | Local Roads Community<br>Infrastructure Phase 3                 | \$252,330   | 30-Dec-23 | Completed  |
| Various Roads Resheeting<br>Uralla Shire Council rural<br>LGA (Hardens)  | Local Roads Community<br>Infrastructure Phase 3                 | \$278,725   | 30-Dec-23 | Completed  |
| Thunderbolts Way MR73,<br>North of Uralla – Ferndale<br>Segment Ch27.7km to<br>29.2km (1,500m x 8m) (0<br>at Uralla St, North)         | Regional and Local<br>Roads Repair Program                      | \$780,000   | 30-Jun-25 | Completed  |
| Warwick St, Uralla 2<br>sections, McCrossin<br>Street to Rock Abbey<br>Road (550m x 6m), &<br>Barleyfields Intersection<br>(600m x 7m) | Regional and Local<br>Roads Repair Program                      | \$487,500   | 30-Jun-25 | Completed  |
| Bergen Road, Kentucky<br>1km x 5m comprising 2<br>discrete sections  | Regional and Local<br>Roads Repair Program                      | \$325,000   | 30-Jun-25 | Completed  |
| Mihi Road<br>Mihi, Intermittent patch<br>gravelling 1km  | Regional and Local<br>Roads Repair Program                      | \$86,908    | 30-Jun-25 | Completed  |
| Part A - Roads and/or<br>Community Infrastructure  | Local Roads Community<br>Infrastructure Phase 4                 | \$596,106   | 30-Dec-25 | Projects being<br>determined   |
| Part B – Roads Only  | Local Roads Community<br>Infrastructure Phase 4                 | \$343,847   | 30-Dec-25 | Projects being<br>determined   |
| Stage 1 -TWO MILE<br>CREEK, ABINGTON<br>THUNDERBOLTS WAY -<br>NORTH OF URALLA<br>(Chainage 49.2 to<br>50.9km)                          | Restart NSW Fixing<br>Country Roads Round 6<br>Project RNSW2724 | \$3,942,782 | 30-Jun-26 | Roadwork<br>pavement and<br>sealing<br>completed,<br>Guardrail<br>upgrade being<br>reviewed. |

|  |  |                              |           |   |
|--|--|------------------------------|-----------|---|
| Stage 2 - Laura CREEK,<br>Thunderbolt Way -<br>NORTH OF URALLA<br>(Chainage 62.2 to<br>63.7km)   | Restart NSW Fixing<br>Country Roads Round 6<br>Project RNSW2724                            | As above –<br>part of \$3.9M | 30-Jun-26 | Awaiting<br>consultant-led<br>design required<br>for construction   |
| Stage 3 - Scrubby Gully,<br>ABINGTON<br>THUNDERBOLTS WAY -<br>NORTH OF URALLA<br>(Chainage 11-16km)  | Restart NSW Fixing<br>Country Roads Round 6<br>Project RNSW2724                            | As above –<br>part of \$3.9M | 30-Jun-26 | Section of 3.8km<br>under<br>construction with<br>pavement<br>stabilisation in<br>March and<br>sealing early April<br>2024. |
| RERRF – Various Roads  | Regional Emergency<br>Road Repair Fund   | \$2,353,990                  | 30-Jun-27 | Detailed Work<br>Plan being<br>compiled for<br>submission by<br>end of April 2024   |
| Project 1 - Parks Gardens<br>and Open Space Facilities   | Stronger Country<br>Communities Fund<br>(Round 5)  | \$332,238                    | 30-Dec-24 | Planned but not<br>yet commenced  |
| Project 2 - Upgrade and<br>enhancement of sporting<br>Facilities   | Stronger Country<br>Communities Fund<br>(Round 5)  | \$535,442                    | 30-Dec-24 | Planned but not<br>yet commenced  |
| Project 1 - Uralla tourism<br>campaign, branding and<br>signage Project - Find<br>Yourself in Uralla slogan  | Severe Weather & Flood<br>Grant -<br>August/September 2022<br>- AGRN 1030 & AGRN<br>1034 – | \$85,000                     | 30-Jun-26 | Grant application<br>– further<br>information to be<br>submitted  |
| Project 2 - Project Name<br>Council asset<br>management software<br>and tracking equipment<br>that supports resilience   | Severe Weather & Flood<br>Grant -<br>August/September 2022<br>- AGRN 1030 & AGRN<br>1034 – | \$255,000                    | 30-Jun-26 | Grant application<br>– further<br>information to be<br>submitted  |
| Project 3 - Uralla<br>Stormwater Management<br>Plan  | Severe Weather & Flood<br>Grant -<br>August/September 2022<br>- AGRN 1030 & AGRN<br>1034 – | \$155,000                    | 30-Jun-26 | Grant application<br>– further<br>information to be<br>submitted  |
| Project 4 - Uralla Landfill<br>stormwater and drainage<br>improvements to<br>increase disaster<br>resilience to reduce the<br>impact of future flood<br>disaster | Severe Weather & Flood<br>Grant -<br>August/September 2022<br>- AGRN 1030 & AGRN<br>1034 – | \$160,000                    | 30-Jun-26 | Grant application<br>– further<br>information to be<br>submitted  |

|  |  |                 |           |   |
|--|--|-----------------|-----------|---|
| Project 5 - Uralla shared cycle path Project Stage 8   | Severe Weather & Flood Grant - August/September 2022 - AGRN 1030 & AGRN 1034 – | \$34,000        | 30-Jun-26 | Grant application – further information to be submitted |
| Project 6 - Rehabilitation of Uralla Creek   | Severe Weather & Flood Grant - August/September 2022 - AGRN 1030 & AGRN 1034 – | \$155,000       | 30-Jun-26 | Grant application – further information to be submitted |
| Project 7 - McMaugh Gardens Aged Care Centre storm damaged roof over walkway improvement to facilitate relief, recovery and resilience | Severe Weather & Flood Grant - August/September 2022 - AGRN 1030 & AGRN 1034 – | \$130,000       | 30-Jun-26 | Funding Body has now Approved to Proceed                |
| Project 8 - Bundarra walking/cycle track to Sports Centre- Stage one   |  | \$61,000        | 30-Jun-26 | Grant application – further information to be submitted |
| The Glen, The Court House, and Pioneer Park, Rotary Park   | Legacy Projects  | \$<br>2,925,000 | 30-Jun-24 | 90% Complete  |

The following road project works are funded and are being finalised / or scheduled to be undertaken in coming months:

#### **Project: Rehabilitation Rural Roads**

*Funded: Fixing Local Roads and Local Roads and Community Infrastructure Programs*

Rehabilitation works under this program on Gostwyck Road, Kingstown Road, Northeys Road and Hawthorne Drive are now all completed. Finalisation of the grant is being undertaken with Transport NSW.

#### **Project: Road Safety Program - School Zone Infrastructure Sub Program**

Refuge structures and facilities have been installed. Finalisation of any outstanding minor works is being done and acquittal of the project arranged with Transport NSW.

#### **Fixing Local Roads - Pothole grant funding**

The Pothole Repair grant funding under this program ended in December 2023. Works have been completed and finalisation of the grant is being undertaken as a matter of urgency to complete reporting of actual works done and acquittal of costs incurred.



**Pathway extension grant fund**

Council has secured a further \$50,000 grant from the State Government to extend a shared pathway on Plane Avenue to the sports complex. The grant will compliment works already undertaken and see a further extension of the 1.7-kilometre shared pathway from King Street via Maitland Street and Plane Avenue to the Uralla Sports Complex.

**Natural Disaster Declaration**

Uralla Shire Council was declared a Natural Disaster Area by Transport NSW. Council officers inspected damaged infrastructure with representatives from Transport NSW and detailed documentation of Council's claim including pre-existing condition evidence and cost estimates are being prepared for submission under four separate packages. This claim for cost of repairs is now likely to be in excess of \$3million. This claim is still a work in progress.

Works that were undertaken to provide urgent temporary repairs and interim works to keep roads open are being monitored for safety until final approvals are received for rectification work.

**Conclusion**

The works progress report provides Council with information on the works progressed or completed in the first quarter of 2024, and indicates the works proposed for the April to June 2024 period.

**Council Implications****Community Engagement/Communication**

Weekly posts to Council's Facebook and internal weekly Councillor Bulletin keeps the community and councillors informed of progress.

Council staff also response to customer requests for maintenance issues on the road network.

**Policy and Regulation**

Procurement Policy

Transport Asset Management Policy

**Financial/Long Term Financial Plan**

The Capital Works Program is being reviewed for all externally grant funded projects and the delivery timeframe for

A number of projects are being finalised with project completion reporting required to the funding bodies.

These grants are then acquitted in respect to expenditure incurred on each grant project.

**Asset Management/Asset Management Strategy**

The works program is undertaken in accordance with Asset Management Plans and relevant condition data. As part of the forth coming asset revaluation process for Transport Assets, more current condition assessment is being programmed. Any updated condition data will then be used to review future capital renewal priorities.

**Workforce/Workforce Management Strategy**

Council staff and equipment is fully utilised on maintenance activities and some of the additional grant funded works. Specialist activities including stabilisation and bitumen surfacing are undertaken through contractor engagements to complete projects.

**Legal and Risk Management**

[Local Government Act 1993 \(NSW\)](#)

[Roads Act, 1993 \(NSW\)](#)

[Work Health & Safety Act 2011 \(NSW\)](#)

[Environmental Planning & Assessment Act 1979 \(NSW\)](#)

Maintaining Council assets keeps the assets in satisfactory condition and the network serviceable. Funding of major project renewals allows for the long term replacement of assets before they fail, hence improving safety and reducing risk exposure.

**Performance Measures**

Works are completed to appropriate engineering standards, within budgetary limitations, and programmed to gain efficiencies in construction where practical.

**Project Management**

Manager of Civil Infrastructure, Asset Manager, Co-ordinator Civil Works and Director Infrastructure and Development work together to undertake the management of routine asset maintenance and the construction works under major renewal projects.

**14.5 Project Updates - Public Spaces Legacy Program**

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|                       |  |
|-----------------------|--|
| <b>Department:</b>    | <b>Infrastructure &amp; Development</b>          |
| <b>Prepared By:</b>   | <b>Manager Projects</b>                          |
| <b>Authorised By:</b> | <b>Director Infrastructure &amp; Development</b> |

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**SUMMARY**

The purpose of this report is to provide Council with the current status and outlook for the three (3) Public Spaces Legacy Program (PSLP) grant funded projects being undertaken by Council; namely:

- The Rotary Park Upgrade;
- The Glen Upgrade (including Constellations of the South); and
- The Pioneer Park Upgrade.

**RECOMMENDATION**

**That Council notes the update and status reports for the Rotary Park Project; the Pioneer Park Project; and the Glen Project.**

**REPORT****Project updates**

This status update report was current on 12 March 2023.

Professor Fred Watson has stated he would be honoured to attend the official opening of the PSLP projects. He has indicated he would also be available for a “Science in the Pub” event. The Grants Officer has taken over the organisation of the opening event and has confirmed that a further high profile dignitary is interested in attending. The executive team have received excellent guidance and support via Dr Conway, Director of UNE’s Smart Incubator (NOVA), and are currently planning a myriad of activities around the official opening which will include the Minister for Planning and Open Spaces (our funding partner for the PSLP projects), the Honourable Paul Scully or a senior representative.

The opening, and multiple activities are being scheduled for 21 June 2024 which also marks the winter solstice this year.

**PSLP Project 1 - Rotary Park Upgrade** – The Rotary Park Upgrade Project has reached full Practical Completion. With signage still to be reinstated.

**PSLP Project 2 - Pioneer Park Upgrade** – Project construction continues with the spiral pathway now being sealed. Lights for the entry statement and rear wall have arrived. Artists are currently working on the entry statement mosaic designs. The first mow and over-seeding of the turf has taken place. The sprinkler system coverage has been adjusted.

The final Stage 1 Park should be opened to the public by late March with a temporary exclusion zone around the entry statement section, due to be completed end of April.

**PSLP Project 3 - The Glen Upgrade (including The Constellations of the South)**

**Infrastructure** –Two park benches received with the accessible table setting are being installed the week of 11 March.

A recommendation from UTEC on the information panels is due later this month. The original information shelter structure will be upgraded.

**Constellations of the South** – This component involves the delivery of eight (8) Artwork sculptures. Musca and Pavo have been erected, leaving Hydrus due early April. Artist statement plaques have been received for installation. The earth around the obelisk plinths will be levelled and seeded.

Signage to front the car park for the Constellations of the South and the dog park is under development.

**Funding and Reporting**

Council officers are continuing to work with the Department of Planning and Environment (DPE) to ensure the requirements of the funding agreement are met. This is now monitored by monthly reporting until project completion.

**CONCLUSION**

The PSLP Projects are either complete (Rotary Park) or proceeding at pace (The Glen and Pioneer Park). The construction phase of the projects is on schedule to be completed late March 2024, in-line with the new direction from the funding partner to finish when practically possible. The PSLP expenditures for each project remain healthy and within the original budgetary limits. The final body of work will be the creation and application of ceramic art to the entry statement area, which is now underway.

Significant physical advances have been made for both remaining project sites.

This report recommends that Council note the current status of the PSLP Projects.

**COUNCIL IMPLICATIONS****Community Engagement/Communication**

Significant community and key stakeholder consultation has been undertaken to this point and it is the project delivery team's intention to maintain a high level of communication with all parties into the future.

**Policy and Regulation**

Uralla Shire Council Procurement Policy, NSW Local Government Act and Regulations.

**Financial/Long Term Financial Plan**

All three projects are being undertaken via capital funding from the NSW Government, therefore the draw on Council's capital resources is negligible. However, all three assets will have new and higher 'replacement costs' following their enhancements. That will result in higher than previous annual depreciation figures in Council's Annual Financial Statements. There may be some additional increases to Council's annual operating and maintenance budgets.

**Asset Management/Asset Management Strategy**

The renewal and refurbishment work undertaken on each of the three project sites will effectively establish three new and upgraded (more high value) assets, each with a new lifespan. Once completed, the finished assets will be accounted for, at their new higher replacement costs, on Council's Asset Register and the resultant future operating and maintenance costs defined in Council's Buildings Asset Management Plan.

**Workforce/Workforce Management Strategy**

To achieve deliverables expected under the funding deeds, some elements of works at the Glen have been undertaken internally by Civil Infrastructure staff, having no bearing on usual maintenance works.

**Legal and Risk Management**

All current work on the projects is in accordance with Council resolutions. Project budgets are being closely managed.

**Performance Measures**

Council is currently compliant with the performance measures issued with the Funding Deed from the Grant Partner.

**Project Management**

The Projects are being effectively delivered via contracted resources, with some input from the Civil Infrastructure workforce, under Council supplied project management, costed through the funding.

**14.6 Proposed Uralla Shire Council Renewable Energy Community Benefit Framework****Department:** General Manager's Office**Prepared By:** General Manager**Authorised By:** General Manager**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**1. Renewable Energy Community Benefit Policy - amendments   **Attachments:****Goal:** 3. We are good custodians of our environment**Strategy:** 3.1. To preserve, protect and renew our beautiful natural environment  
3.2. Maintain a healthy balance between development and the environment**SUMMARY**

Increasing numbers of renewable energy projects are planned within the Uralla Shire in various stages of the State assessment process. Planning agreements will be entered into with renewable energy developers to secure community benefits in accordance with Council's adopted Community Benefit Policy. These future community benefit payments are a once in a generation opportunity to deliver long term community legacy projects.

It is important for Council to establish a strategic framework in which to effectively manage community benefit payments in the best interests of the community. It is recommended that Council implements a number of key measures including:

- Creating a Renewable Energy Community Benefit Restricted Fund;
- Establishing a Renewable Energy Community Reference Group to provide advice to Council on community legacy projects to be funded from future renewable energy community benefit payments; and
- Calling for public nominations for membership of the Renewable Energy Community Reference Group.

Council adopted its Renewable Energy Community Benefit Policy on 28 November 2023. Following discussions at COREM (Council of Renewable Energy Mayors), and to align with the NSW State Renewable Energy Policy Guidelines recently exhibited, it is recommended that Council amends the Policy to ensure community benefit payments are in line with development returns.

**RECOMMENDATION**

**That Council amends the Renewable Energy Community Benefit Policy as follows:**

- a. Delete requirement for payment to be based on 1.5% of Capital Investment Value (CIV) and insert requirement for payment to be based on \$850 per MW per annum for solar energy development, and \$1050 per MW per annum for wind energy development; and
- b. Add requirement for benefit payments to continue over the life of the development and indexed to CPI,
- c. Add the establishment of a Community Reference Group which will provide advice to Council on the projects for which community benefit funds will be allocated; and
- d. Other minor changes as shown in the attached draft.

2. Creates a single Uralla Renewable Energy Community Benefit Restricted Fund for all future community benefit payments until allocated to agreed community legacy projects.
3. Notes that community legacy projects will be determined in consultation with community.
4. Establishes a Renewable Energy Community Reference Group to advise Council on community legacy projects to be funded from future renewable energy benefit payments, and calls for nominations from members of the public.

## REPORT

A number of renewable energy projects in the Uralla Shire are in various stages of assessment, and Council is negotiating various planning agreements to formalise community benefit payments. Other negotiations will take place as they progress in the State Significant Development assessment process. Once executed, the planning agreements will provide certainty about future community benefit payments. Council has a once in a generation opportunity to work with the community to develop a long term strategic plan for community legacy projects that will provide lasting and widespread community benefits now and for future generations. It is anticipated that our neighbouring New England councils will also develop similar community reference groups and there may be an opportunity to collaborate on terms of reference and committee structure as these are progressed given some of the REZ developments straddle two LGAs.

It is important that Council establishes a strong governance framework around future renewable energy community benefit payments. Accordingly, it is recommended that Council creates a Renewable Energy Community Benefit Restricted Fund for all community benefit payments until allocated to approved legacy community benefit projects.

The NSW State Government exhibited the Draft Renewable Energy Planning Policy framework and Guidelines from 14 November 2023 to 29 January 2024. The draft documents have not yet been finalised but can be accessed via this link: [Energy policy framework | Planning \(nsw.gov.au\)](https://www.nsw.gov.au/energy-policy-framework)

The draft Benefit Sharing Guideline notes that the total funding for benefit sharing should be as follows:

- \$850 per megawatt per annum for solar energy development; or
- \$1050 per megawatt per annum for wind energy development, paid over the life of the development and indexed to CPI.

It is recommended that Council's Renewable Energy Community Benefit Policy be amended to align with the State's draft Benefit Sharing Guideline, and recent COREM discussions.

## CONCLUSION

This report recommends that Council establishes a Renewable Energy Community Benefit Restricted Fund, a Community Reference Group to provide advice to Council on community legacy projects to be funded from future renewable energy payment, and approves minor amendments to the Renewable Energy Community Benefit Policy.

## COUNCIL IMPLICATIONS

### Community Engagement/Communication

It is recommended that Council establishes a Community Reference Group to provide advice to Council on community legacy projects to be funded from renewable energy community benefit payments, and calls for nominations from members of the public

### Policy and Regulation

The Renewable Energy Community Benefit Policy provides a framework for Council to negotiate community benefit payments with renewable energy developers. The proposed Renewable Energy Community Benefit

Restricted Fund will ensure appropriate governance and accounting processes are in place for the administration of future community benefit payments.

**Financial/Long Term Financial Plan**

Budget Area: Planning and Development

Funding source: Nil

Budget implications: It is proposed that a Restricted Community Benefit Fund account be established.

**Asset Management/Asset Management Strategy**

Nil

**Workforce/Workforce Management Strategy**

Nil

**Legal and Risk Management**

The proposed Renewable Energy Community Benefit Restricted Fund will ensure appropriate governance and accounting processes are in place for the administration of future community benefit payments.

**Performance Measures**

Nil

**Project Management**

General Manager





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## **Policy:**

# **Renewable Energy Community Benefit**

## **2023**

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UINT/23/11320

## INFORMATION ABOUT THIS DOCUMENT

|                                     |   |                                   |               |
|-------------------------------------|---|-----------------------------------|---------------|
| <b>Date Adopted by Council</b>      | 28 November 2023  | <b>Resolution No.</b>             | 17.11/23      |
| <b>Document Owner</b>               | <i>Executive Director Infrastructure &amp; Development</i>  |                                   |               |
| <b>Document Development Officer</b> |   |                                   |               |
| <b>Review Timeframe</b>             | <i>All policies are to be reviewed within a 4 year period, insert here the number of years (not greater than 4 years) for the review timeframe of this document</i> |                                   |               |
| <b>Last Review Date:</b>            | 28 November 2023  | <b>Next Scheduled Review Date</b> | November 2025 |

**Document History**

| <b>Doc No.</b> | <b>Date Amended</b> | <b>Details/Comments eg Resolution No.</b> |
|----------------|---------------------|---|
| UINT/23/13320  | 19 September        | Creation of Draft Policy                  |
| UINT/23/18399  | 28 November         | Adopted by Council 17.11/23               |
| UINT/23/18399  | 26 March 2024       | Adjustments made and presented to Council |
| UINT/23/18399  | 26 March 2024       | Adopted by Council with changes 39.03/24  |

**Further Document Information and Relationships**

List here the related strategies, procedures, references, policy or other documents that have a bearing on this Policy and that may be useful reference material for users of this Policy.

|  |  |
|--|--|
| <b>Related Legislation*</b>                                | Environmental Planning and Assessment Act 1979 (EP&A Act)<br>Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) |
| <b>Related Policies</b>                                    |  |
| <b>Related Procedures/Protocols, Statements, documents</b> |  |

Note: Any reference to Legislation will be updated in the Policy as required. See website <http://www.legislation.nsw.gov.au/> for current Acts, Regulations and Environmental Planning Instruments.

*Policy: Renewable Energy Community Benefit 2023***TABLE OF CONTENTS**

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## 1. PLANNING AGREEMENTS

Uralla Shire Council will use the planning agreement provisions of the EP&A Act to deliver the objectives of the Policy.

A planning agreement is a voluntary agreement between Council and a developer, who has made the development application, under which the developer is required to dedicate land free of cost; pay a monetary contribution; provide any other material benefit to be used or applied towards a public purpose.

## 2. LEGISLATIVE CONTEXT

Section 1.3 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* provides the legislative basis for the Policy.

Subdivision 2 of the EP&A Act provides the legislative basis for planning agreements.

## 3. OBJECTIVES

The Renewable Energy Community Benefit Policy (Policy) will support the promotion of benefit sharing strategies associated with the development of state significant and regionally significant renewable energy projects in the Uralla Shire Council Local Government Area (LGA) that:

- Secure off-site benefits for the community so that renewable energy development delivers a net community benefit;
- Ensure that the wider community shares in the benefits resulting from renewable energy development in the local government area; and;
- Ensure that the costs and benefits of renewable energy development will be equitably distributed within the community and inter-generationally.

## 4. COMMUNITY BENEFIT

Community benefit excludes that which is required to mitigate adverse impacts of development including (but not limited to) host and adjoining landowner payments required to obtain consent or prescribed by legislation.

The financial value of community benefit will vary from project to project, however, the minimum community benefit threshold for Uralla Shire Council is ~~1.5% of capital investment value of the development~~ \$850 per MW per annum for solar energy development, and \$1050 per MW per annum for wind energy development, paid over the life of the development and indexed to CPI. Projects that do not deliver community benefits above this threshold are likely to be considered not in the public interest.

~~State here other Policy related material – if required. Otherwise delete this section. Use the Sub Heading prompts below to organise the information into relevant elements, otherwise delete.~~

## 5. PUBLIC PURPOSE

The public purpose that funds will be applied to include<sup>s</sup> works to embellish public spaces, the provision of spaces for public recreation and community facilities, the provision of affordable housing and works to rehabilitate or conserve biodiversity values, or some other public purpose if the Council reasonably considers that the public interest would be better served by applying the funds towards that other purpose.

**6. GOVERNANCE AND INTER-GENERATIONAL EQUITY**

Council will ensure a governance structure that as far as possible reflects the needs and concerns of the immediate communities of impact and the broader local government area to assist with determining the public purpose for funds.




Councils will manage funds to ensure that they benefit future generations as well as the present generation.

[A Community Reference Group will -provide advice to Council on the projects to which community benefit funds will be allocated.](#)

|

**14.7 Uralla Shire Housing Strategy****Department:** General Manager's Office**Prepared By:** General Manager**Authorised By:** General Manager**Reference:** UINT/24/4042

**Attachments:**

1. Application Regional Housing Planning Round 2 [↓](#) 
2. Unsuccessful Letter on Regional Housing Strategic Planning fund Round 2 [↓](#) 
3. EnergyCo Agreement [↓](#) 

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK****Goal:** 2. We drive the economy to support prosperity**Strategy:** 2.3. Communities that are well serviced with essential infrastructure**SUMMARY**

Council's application for a grant under the Regional Housing Strategic Planning Fund Round 2 in 2023 to develop a Local Housing Strategy was unsuccessful. Only 16 of the 64 applications were successful in this funding round. While the Department has advised that there will be further funding rounds, Council can't afford to wait. The coming wave of renewable energy development has added an urgency to the need to progress the Housing Strategy now.

Council has entered into a funding agreement with EnergyCo to support our planning response to renewable energy development. It is proposed to utilise funds under the EnergyCo agreement to engage a consultant to undertake this essential work now to ensure Council has a strategic approach to the current and future housing demands and economic opportunities ahead of the increased demand from renewable energy development.

**RECOMMENDATION**

That Council:

1. Authorises the General Manager to proceed with the engagement of a consultant through a Request for Quotation (RFQ) procurement process for the preparation of a Local Housing Strategy for Uralla Shire.
2. Notes that there will be no cost to Council with all costs to be reimbursed through the EnergyCo funding.

**REPORT**

Council submitted an application for a grant under the Department of Planning's Regional Housing Strategic Planning Fund Round 2 in September 2023 to enable the development of a local housing strategy. The strategy was to provide an evidence base to progress Council's strategic planning priorities, ensuring future housing meets changing population needs, while maximising economic opportunities, in the face of the current housing shortage and the increased momentum in renewable energy development in the Northern New England region. A copy of the application is at Attachment 1.

Unfortunately, Council's application was unsuccessful. A copy of the letter received from the Department on 16 February 2024 is at Attachment 2.

It is proposed to undertake the development of the local housing strategy utilising funds available through the EnergyCo agreement. A copy of the Letter of Agreement with EnergyCo is included at Attachment 3. The terms of the agreement cover strategic work of this nature. Preliminary discussions with EnergyCo have indicated support for the proposal and confirmed the project meets the funding agreement criteria.

The planned Local Housing Strategy would inform Council's strategic planning to ensure that the future supply of housing in our LGA meets our changing population needs and future expected demands associated with renewable energy development in the face of the current housing shortage. The strategy would provide an evidence base for Council to progress a review of the Uralla Shire Local Environment Plan (LEP) to support economic development within the Shire and the development of a strategic approach to housing needs and the increasing demand for worker accommodation for renewable energy development.

The Department of Planning has provided clear direction that a housing strategy is required to inform an LEP review.

## **CONCLUSION**

It is recommended Council approves the engagement of a consultant to prepare a local housing strategy for Uralla Shire to be funded through the EnergyCo agreement. The strategy will help inform Council's response to worker accommodation needs associated with renewable energy development against the current housing shortage with a focus on housing affordability and economic development.

## **COUNCIL IMPLICATIONS**

### **Community Engagement/Communication**

The proposal has been discussed with EnergyCo who indicated support.

### **Policy and Regulation**

The Department of Planning has advised that a local housing strategy is required to support proposed amendments to the Uralla Shire LEP.

### **Financial/Long Term Financial Plan**

The consultancy costs will be reimbursed through the EnergyCo funding agreement.

### **Asset Management/Asset Management Strategy**

Not applicable.

### **Workforce/Workforce Management Strategy**

Not applicable

### **Legal and Risk Management**

The RFQ process will be in accordance with Council's Procurement Policy.

### **Performance Measures**

The RFQ will be advertised for a period of 30 days with the project scope to include clear deliverables including timelines and milestones.

### **Project Management**

The General Manager and the Manager Planning will oversee the project.





## Regional Housing Strategic Planning Fund round 2 - 2023

### Application form round 2 2023

Application No. RHSPF round 2 -041 From Uralla Shire Council

Form Submitted 28 Sep 2023, 3:46PM AEST

## Application Form Regional Housing Strategic Planning Fund Round 1

### Eligibility

1. All NSW councils outside of the Six Cities region and councils in the Lower Hunter and Greater Newcastle, Central Coast, and Illawarra-Shoalhaven cities, are eligible for funding. A full list of eligible councils is available in the program guidelines on the [program website](#).
2. A single council or groups of 2 or more councils, such as joint organisations of councils, may apply for funding.
3. Please note that for each round of funding, there is a limit of 1 application (and 1 project) per council or 1 joint application and 1 joint project for group projects. You can also apply for funding for projects that will be delivered in partnership with other organisations if you agree to be responsible for project delivery.
4. You may apply for and receive funding for both an individual project and a joint project (whether as the project lead or not) within a single funding round if the projects are clearly distinct.

### Assessment criteria

Applications will be assessed against the following criteria:

1. Program aims and objectives (weighting 20%)
2. Strategic alignment (weighting 20%)
3. Project impact (30%)
4. Project scoping requirements (weighting 20%) based on the following sub-criteria
  1. Project scope (5%)
  2. Delivery timeframe (5%)
  3. Capability to deliver (5%)
  4. Governance and risk management (5%)
5. Value for money (weighting 10%)

Refer to the program guidelines for detailed considerations under each criterion.

### Contact Details

**\* indicates a required field**

### Organisation details

#### Organisation name \*

Uralla Shire Council

Please note for joint applications, the organisation listed as the applicant should be a single organisation that will act as the lead contact.

#### ABN \*

55 868 272 018

#### Information from the Australian Business Register

|     |                |
|-----|----------------|
| ABN | 55 868 272 018 |
|-----|----------------|

## Regional Housing Strategic Planning Fund round 2 - 2023

### Application form round 2 2023

Application No. RHSPF round 2 -041 From Uralla Shire Council

Form Submitted 28 Sep 2023, 3:46PM AEST

|  |   |
|--|---|
| <b>Entity name</b>                           | URALLA SHIRE COUNCIL                          |
| <b>ABN status</b>                            | Active  |
| <b>Entity type</b>                           | Local Government Entity                       |
| <b>Goods &amp; Services Tax (GST)</b>        | Yes   |
| <b>DGR Endorsed</b>                          | No  |
| <b>ATO Charity Type</b>                      | Not endorsed <a href="#">More information</a> |
| <b>ACNC Registration</b>                     | No  |
| <b>Tax Concessions</b>                       | No tax concessions                            |
| <b>Main business location</b>                | 2358 NSW                                      |
| <i>Information retrieved at 1:48pm today</i> |   |

Must be an ABN.

#### Council street address \*

32 Salisbury St  
Uralla NSW 2358 Australia

Address Line 1, Suburb/Town, State/Province, Postcode, and Country are required.

#### Council postal address \*

PO Box 106  
Uralla NSW 2358 Australia

Address Line 1, Suburb/Town, State/Province, Postcode, and Country are required.

#### Council phone number \*

(02) 6778 6300

Must be an Australian phone number.

This should be your organisations general phone number, not the direct number of the staff completing the application.

#### Council email \*

council@uralla.nsw.gov.au

Must be an email address.

This should be your organisations general email, not the direct email of the staff completing the application.

#### Is the application for a single council project or a joint project? \*

- ☒ Single council  
☐ Joint project

Please note for joint applications, you will be required to fill in the joint application section below

### Applicant details

#### Name of officer making application \*

Mr Chris Clark

#### Position in organisation \*

Grants Coordination Officer

#### Phone number \*

(02) 6778 6334

**Regional Housing Strategic Planning Fund round 2 - 2023**  
**Application form round 2 2023**  
**Application No. RHSPF round 2 -041 From Uralla Shire Council**  
Form Submitted 28 Sep 2023, 3:46PM AEST

Must be an Australian phone number.

**Email \***

cclark@uralla.nsw.gov.au

Must be an email address.

**Is the applicant also the project manager? \***

☐ Yes

☒ No

If you answer no to this question, you will be required to fill in the project manager details below.

**Project manager details**

**Project manager name \***

Ms Kate Blackwood

**Position in organisation \***

Manager Planning and Development

**Phone number \***

(02) 6773 6310

Must be an Australian phone number.

**Email address \***

kblackwood@uralla.nsw.gov.au

Must be an email address.

**Project Planning**

**\* indicates a required field**

**Project details**

For guidance on how to complete your application, refer to the application guide on the [program website](#).

**Project title \***

Future Focus: Uralla Local Housing Strategy

Must be no more than 10 words.

This information will be used by DPE for reporting purposes to describe your project. For example, "[Council name] Local Housing Strategy".

**Short project description \***

This strategy will ensure future supply of housing in our LGA meets our changing population, economy and environment, gathering evidence, setting a vision, and identifying immediate and long-term housing needs and opportunities across our LGA.

It will support our strategic planning, providing an evidence base for future housing and investment meeting needs of people at all stages of their lives and from a range of socio-economic circumstances.

## Regional Housing Strategic Planning Fund round 2 - 2023

### Application form round 2 2023

#### Application No. RHSPF round 2 -041 From Uralla Shire Council

Form Submitted 28 Sep 2023, 3:46PM AEST

Collaborating across community and business, we will examine economic and environmental influences that will precipitate change, and provide a basis for land re-zoning and housing outcomes, focusing on supply, affordability, diversity and resilience.

Must be no more than 100 words.

Provide a short description of your project

#### Location of project \*

Whole of LGA

If the project relates to an entire LGA, or multiple LGAs, please list 'Whole of LGA' as location.

#### LGA \*

Uralla

If the project relates multiple LGAs, please list the relevant LGAs

#### Which of the following best describes your project? \*

- ☐ Affordable Housing Contributions Scheme
- ☐ Affordable or diverse housing strategy
- ☐ Business case
- ☐ Development Control Plan
- ☐ Growth management strategy
- ☒ Housing issues paper
- ☐ Infrastructure contributions plan
- ☐ Infrastructure needs analysis
- ☐ Infrastructure strategy or servicing plan
- ☐ LEP amendment
- ☒ Local housing strategy
- ☐ LSPS review
- ☐ Master plan
- ☐ Regional/subregional planning strategy
- ☐ Residential lands strategy
- ☐ Structure plan
- ☐ Technical study
- ☐ Other:

You can select multiple answers if your project includes more than one type of deliverable. If you select , please specify.

#### Project aims and objectives \*

Our aim is to consider immediate, short- and long-term needs of our LGA and identify barriers to future housing supply, affordability and environmental resilience.

Uralla is rapidly changing: situated in a designated Renewable Energy Zone with a significant pipeline of large-scale investments, is susceptible to impacts of climate change, accommodates many temporary and migrant workers in primary industries, is home to an increasingly ageing population and declining household size, is a popular tourism hub, as well as offering an attractive rural lifestyle within easy commuting distance of major regional centres and their services, such as Tamworth and Armidale.

As a result, we have identified a mismatch between currently available housing stock and land, and the future needs of residents and visitors.

Therefore, it is critical we examine and understand barriers that will impact the supply of housing in our LGA – engaging stakeholders from community, business, landowners and developers, social housing providers and aspiring homeowners.

Working together our objectives will be to:

- Establish a strong evidence base for planning our future housing needs

## Regional Housing Strategic Planning Fund round 2 - 2023

### Application form round 2 2023

#### Application No. RHSPF round 2 -041 From Uralla Shire Council

Form Submitted 28 Sep 2023, 3:46PM AEST

- Consider forms of housing required to meet immediate, short- and long-term needs across our LGA
- Unlock supply of existing zoned land including infrastructure provision
- Identify opportunities and constraints to meeting needs under existing planning frameworks
- Deliver recommendations that encourage housing diversity, affordability and choice
- Support long-term economic and environmental sustainability of our region.

Provide a brief statement outlining the aim of the project and list any specific objectives in bullet points. (200 words recommended)

#### **Project scope \***

Located in the New England Region of the Northern Tablelands of NSW, our LGA covers an area of 3,230km<sup>2</sup> with a current population of 6,150.

At present, there are no local housing or growth management strategies, or comprehensive sources of data to guide our long-term planning and growth. This project sets a path to meeting our immediate, short- and long-term housing needs by:

1. Consolidating our current planning and housing frameworks
2. Auditing existing house and land stock across our LGA
3. Examining economic and environmental factors that are and will influence change
4. Engaging our community, industry and service providers to understand their long-term needs
5. Considering our changing population and housing requirements
6. Identifying barriers to meeting future housing needs
7. Providing Council with an evidence base and recommendations to inform strategic planning and fast-track housing development.

To ensure alignment, our strategy will be structured around the four pillars of the NSW Government's 'Housing 2041' document – affordability, diversity, supply, and resilience – focusing on vision and incremental implementation mechanisms to deliver housing that meets community needs, and gives more certainty about where, when, and what types of homes are built.

This stage of the project will exclude detailed business cases or economic feasibility studies of any specific housing initiative, however these may form the basis of subsequent projects. Provide a brief statement defining the scope of the project, including any relevant commentary about what is outside of the project scope. (200 words recommended)

#### **Project outputs and deliverables \***

##### 1. COMMUNITY ENGAGEMENT PLAN

Mapping our approach to community and stakeholder engagement, ensuring we connect widely with a broad range of stakeholder groups including:

- Residents, landowners and landlords
- Aspiring homeowners, tree-changers and young families moving to town
- Local industry and small business owners
- Builders, developers and investors
- Short and long-term rental accommodation providers
- Community and social housing operators
- Community members downsizing or forced to relocate due to increasing costs of housing
- Environmental, planning and resource specialists.

## Regional Housing Strategic Planning Fund round 2 - 2023

### Application form round 2 2023

#### Application No. RHSPF round 2 -041 From Uralla Shire Council

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#### 2. STRATEGIC FRAMEWORK SUMMARY

Preparation of a collaboratively derived overview document that provides context and identifies planning and policy frameworks that will influence future housing development.

#### 3. KEY ISSUES PAPER

Preparation and presentations of a background document that summarises changing demographic, economic, environmental and social trends influencing future need, and informing the creation of vision, priorities and recommendations.

#### 4. FINDINGS & RECOMMENDATIONS

Informing Council and community on options and sequencing for growth, evidence of housing demand and supply, key actions and issues to address, preliminary site assessments, land capability constraints and a land capability gap analysis.

#### 5. EVIDENCE BASE & COMMUNITY ENGAGEMENT SUMMARY

Summaries of key data that underpins the strategy's findings and recommendations, together with an overview of stakeholder feedback and input, with appendices of written submissions for future reference.

Provide a list and brief description of project outputs and deliverables.

#### Background and context information

Provide any other relevant background to the project, including the history of the project, and any work done to date, to assist in the assessment of your application. Note: this field is not compulsory. If you are providing attachments for background and further context, such as a detailed project plan, please explain the relevance of any attachments.

#### Background and context information

*No files have been uploaded*

### Project Plan and Timing

Outline project milestones and the timeframes for starting and completing them. Against each milestone, please provide a list of the tasks and activities associated with each milestone and an associated outputs and deliverables. Use the plus and minus row buttons to add or delete rows as needed. All visible rows will need to be completed in full. Enter 'N/A' as needed if there is no deliverable associated with particular project milestone.

| Project Milestones                                      | Deliverables                           | Activities and Tasks  | Start date      | End date        |
|---|--|---|-----------------|-----------------|
|   |  |   | Must be a date. | Must be a date. |
| Request for quote (RFQ) to appoint consultant (2 weeks) | - Strategy brief and RFQ documentation | - Finalise Consultant RFQ<br>- Issue RFQ<br>- Document Council approval | 01/02/2024      | 14/02/2024      |

## Regional Housing Strategic Planning Fund round 2 - 2023

### Application form round 2 2023

#### Application No. RHSPF round 2 -041 From Uralla Shire Council

Form Submitted 28 Sep 2023, 3:46PM AEST

|  |   |   |            |            |
|--|---|---|------------|------------|
| Consultant appointed (2 weeks)                                       | <ul style="list-style-type: none"> <li>- Tender assessment report</li> <li>- Signed approval to engage successful consultant</li> <li>- Advice to successful and unsuccessful applicants</li> </ul> | <ul style="list-style-type: none"> <li>- Assess responses to RFQ</li> <li>- Convene assessors</li> <li>- Obtain advice if required (including reference checks, probity)</li> </ul>   | 15/02/2024 | 29/02/2024 |
| Inception meeting (1 week)   | <ul style="list-style-type: none"> <li>- Project schedule, timeline and milestones</li> <li>- Initial statement on local issues</li> </ul>  | <ul style="list-style-type: none"> <li>- Agree expectations and responsibilities</li> <li>- Council provide data and provide briefing on key issues for locality</li> </ul>   | 04/03/2024 | 08/03/2024 |
| Community and Stakeholder Plan (3 weeks)                             | <ul style="list-style-type: none"> <li>- Stakeholder &amp; Community Engagement Plan</li> </ul>   | <ul style="list-style-type: none"> <li>- Identify key stakeholders</li> <li>- Develop a program for consultation including channels of communication</li> </ul>   | 11/03/2024 | 05/04/2024 |
| Ongoing consultation in accordance with community & stakeholder plan | <ul style="list-style-type: none"> <li>- Community engaged</li> <li>- Councillor participation</li> </ul>   | <ul style="list-style-type: none"> <li>- Meetings and workshops with Councillors as required</li> <li>- Community engagement across Shire</li> <li>- Stakeholder engagement ongoing</li> <li>- Social media active</li> </ul> <p>(NB - Local Government elections 14/09/24)</p> | 11/03/2024 | 31/01/2025 |

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|  |   |  |            |            |
|--|---|--|------------|------------|
| Evidence base developed (12 weeks)   | <ul style="list-style-type: none"> <li>- Report back-ground including documentation of key issues, evidence base</li> </ul>                                     | <ul style="list-style-type: none"> <li>- Assessment of key demographics</li> <li>- Detail current housing issues, current housing supply, anticipated demand</li> <li>- Identify opportunities and constraints (including infrastructure)</li> </ul> | 11/03/2024 | 31/05/2024 |
| Initial Draft Local Housing Strategy (13 weeks)                                    | <ul style="list-style-type: none"> <li>- Draft document submitted</li> <li>- Agreed approach to consultation material and methods for draft strategy</li> </ul> | <ul style="list-style-type: none"> <li>- Council review draft</li> <li>- Consider draft recommendations and actions</li> <li>- Agree consultation methods to obtain input on draft</li> </ul>  | 03/06/2024 | 30/08/2024 |
| Consultation focussed on draft strategy and recommendations and proposed (4 weeks) | <ul style="list-style-type: none"> <li>- Report on outcomes of consultation</li> </ul>  | <ul style="list-style-type: none"> <li>- Obtain feedback from community, stakeholders and councillors</li> <li>- Prepare responses to issues raised</li> </ul> <p>(NB - Local Government elections 14/09/24)</p>                                     | 02/09/2024 | 01/11/2024 |
| Local Housing Strategy final draft (7 weeks)                                       | <ul style="list-style-type: none"> <li>- Revised Local Housing Strategy</li> </ul>  | <ul style="list-style-type: none"> <li>- Amend initial draft to respond to consultation Briefing for councillors</li> <li>- Report prepared</li> <li>- Final draft Local Housing Strategy submitted to Council for approval</li> </ul>               | 04/11/2024 | 20/12/2024 |



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|  |   |  |            |            |
|--|---|--|------------|------------|
| Submit report to Council including Local Housing Strategy for adoption (6 weeks) | - Report to Council<br>- Finalised Local Housing Strategy for submission to Council | - Report prepared<br>- Final draft Local Housing Strategy prepared, further evidence sourced | 06/01/2025 | 14/02/2025 |
|--|---|--|------------|------------|

## Project duration

### Start Date

15/02/2023

This question is read only.

Note: Your project should commence 15/02/2024 upon receipt of grant funding. Review your project milestones to make sure you have appropriate start dates for project commencement activities.

### End Date \*

14/02/2025

Must be a date and no later than 15/2/2025.

### Project duration (months) \*

12

Must be a whole number (no decimal place) and no more than 12.

## Project Costs

\* indicates a required field

## Project Budget

Provide an itemised project budget. Your budget should include budget items and costs (including and excluding GST) categorised by eligible cost type. The project budget should include all project costs, including costs that will be funded by council or other funding sources as well as costs that will be funded by Regional Housing Strategic Planning funds requested in the application.

Please note that, as per the program guidelines, project management costs should be reasonable and should not exceed 10% of the total project value.

Use the plus and minus row buttons to add or delete rows as needed. All visible rows will need to be completed in full. If you select 'Other' for cost type, please specify.

| Cost Type               | Description   | Cost (excl. GST)         | Cost (incl. GST)         |
|-------------------------|---|--------------------------|--------------------------|
|                         |   | Must be a dollar amount. | Must be a dollar amount. |
| Professional services * | Consultancy to undertake Uralla regional housing strategy | \$180,000.00             | \$198,000.00             |

**Regional Housing Strategic Planning Fund round 2 - 2023****Application form round 2 2023****Application No. RHSPF round 2 -041 From Uralla Shire Council**

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|                      |                          |             |             |
|----------------------|--------------------------|-------------|-------------|
| Project management * | External project manager | \$18,000.00 | \$19,800.00 |
|----------------------|--------------------------|-------------|-------------|

**Project Budget****Total project cost (excluding GST) \***

\$198,000.00

Must be a dollar amount.

What is the total budgeted cost (dollars) of your project?

**Total project cost (including GST) \***

\$217,800.00

Must be a dollar amount.

**Attach supporting documentation for your project budget, including any quotes for project costs or more detailed project budgets. If funding is proposed to be used towards direct staff costs for the project, please provide an attachment with detail and costings of expected staff activities and hours towards the project \***

Filename: ATTACHMENT Project Budget Detail.pdf

File size: 353.2 kB

You must provide supporting documentation for your budget. This includes details of how any estimates have been reached for aspects of the project for which quotes have not been obtained.

**Project Funding****Amount of Regional Housing Strategic Planning Fund funding requested in this application (excludes GST) \***

\$198,000.00

Must be a whole dollar amount (no cents) and between 20000 and 250000.

Please note that RHSPF funding is exclusive of GST, and grant recipients will be responsible for funding any of their project's GST costs. You should exclude GST costs from your funding request.

**Council contribution/s (excluding GST) \***

\$0.00

Must be a dollar amount.

**Other source of funding (excluding GST) \***

Council will provide the following services as in-kind support:

- Governance & Project Control Group (detailed later in this application)
- Grant coordination & financial management
- Project input from Councillors and council personnel
- Provision of background evidence and advice
- Access to our network of community stakeholders
- Publicity and communications to facilitate community engagement.

In bullet points list any other sources of funding for this project, including other grant funding, or enter 'N/A' if not applicable.

**Total amount of funding from other sources (not including council contribution, excluding GST) \***

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\$0.00

Must be a dollar amount.

**If the project has other sources of funding, attach supporting documentation with details of other funding sources.***No files have been uploaded***Total project funding (excluding GST) \***

\$198,000.00

This number/amount is calculated.

Please check the total amount matches the Total project cost (excluding GST) you entered above and review the figures provided if not.

**Please disclose whether the project has been included in a grant application to another funding program that is currently under consideration, or is being considered for funding by a Federal or State government agency through any other means or enter 'N/A' if not applicable. \***

N/A

**Project governance and risk****\* indicates a required field****Project governance****Outline the governance framework for overseeing and making decisions regarding the project (this may be your existing governance and project management structures). If the project is a joint project, explain what governance structures will be put in place to make joint decisions about the project. \***

Our Council's Executive Director Infrastructure and Development will have overall responsibility for this project, including oversight of external consultants and the provision of Council's internal resources.

A Project Control Group will be formed to oversee delivery of the strategy and provide responsive guidance on issues. The Control Group will comprise:

- General Manager
- Executive Director Infrastructure and Development
- Manager Development and Planning
- Councillor representation.

The Project Control Group will meet regularly to monitor budget expenditure, iteratively ensure the project is meeting its aims, objectives and milestones, and has access to information and resources to complete the project.

**Describe your capacity to manage and deliver the project in regards to project scope, quality, schedule, and how the project will be resourced, including council's project team, any prior experience, and any use of external service providers to deliver the project. \***

Uralla Shire Council has excellent relationships and networks across all identified stakeholder groups, ensuring community engagement will be comprehensive and effective.

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This can be demonstrated through successful completion of major community consultative projects such as:

- our Community Strategic Plan 2022-31 informed by 1700 community submissions (over 27% of our total LGA population), and
- State funded projects such as the NSW Government's Increasing Resilience to Climate Change Community Grant maximising water sustainability for our region, which saw us partner with ZNET Uralla (a local community-led organisation building resilience as we transition to a sustainable way of living).

Internally, Council has an outstanding team with expertise in infrastructure and development, environmental and asset management, civil infrastructure, governance, risk and financial services. Management of the grant and communication with the Department will be coordinated by our dedicated Grants Officer.

## Risk Management

Outline key project risks and provide a detailed description of how these risks may impact on the delivery of your project specifically and any actions that will be taken to mitigate them. This may include any of the ways that the project has been planned or designed to minimise the risk from the outset, such as any contingencies in your project plan or consultation undertaken to date.

At a minimum, you should include the following risk types:

- Schedule risks, including any factors that may prevent project milestones from being achieved in line with the project schedule
- Budget risks, including unforeseen costs
- Resourcing risks, including staff availability and workload

Use the plus and minus row buttons to add or delete rows as needed. All visible rows will need to be completed in full.

| Risk type                     | Risk Description  | Action/s to be taken to mitigate risk   |
|-------------------------------|---|---|
| Must be no more than 5 words. |   |   |
| Schedule                      | Project does not commence in line with schedule                               | Liaise with Department of Planning to be certain of timing for receipt of advice regarding success of funding application. Prepare strategy brief and obtain approval to release RFQ pending advice on success. |
| Budget                        | Funding is insufficient to carry out range of community consultation required | Review community engagement carried out for the development of the Community Strategy Plan to gain lessons learnt. Engagement strategy will reflect these lessons.  |

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|                   |  |   |
|-------------------|--|---|
| Resourcing        | Council has insufficient staffing resources to support the development of the Housing Strategy as an internally designed and funded project.         | A dedicated project manager will be appointed with the sole focus of managing the strategy.   |
| Resourcing        | Unavailability or out of date data leads to timing delays  | Identify alternative data sources or develop alternative evidence base.   |
| Industry capacity | Insufficient or no responses to RFQ to enable competitive selection process  | Review of market capability has identified a number of consultancies that have successfully completed similar studies. Intention to approach smaller regionally based suppliers as well as larger city based firms. |
| Scheduling        | Local Government elections in September 2024 lead to delays in gaining councillor input  | Project planning and milestones allow for agreement on initial draft Strategy for consultation to be finalised prior to elections.  |
| Scheduling        | Natural disaster or extreme climate related events makes community and stakeholder engagement difficult due to changing priorities or lack of access | Project planning provides for extensive period for consultation, which enables flexibility in timing of activities if required.   |
| Scheduling        | Input from Indigenous communities delayed due to community events and activities   | Wide consultation period incorporated into program to ensure adaptability to particular events.   |
| Scheduling        | Lack of continuity in Council Local Government election results in changes in councillor representation  | Project planning based around potential need to brief new councillors.  |

**Response to assessment criteria****\* indicates a required field****Program objectives**

Select the program objectives that your project aligns to and then describe how the project aligns with the aims and objectives of the program. The project should address at least one of the program objectives.

Please refer to the detailed considerations outlined in the program guideline in preparing your response.

## Regional Housing Strategic Planning Fund round 2 - 2023

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#### Program Objectives \*

- ☐ Enable and accelerate new housing capacity and the delivery of zoned and 'development-ready' residential land in regional NSW
  - ☒ Support new housing capacity in regional NSW and enable future development by resolving issues and constraints
  - ☒ Better align and coordinate housing and infrastructure delivery
  - ☒ Support more housing choice and the availability of affordable and diverse housing in regional NSW
  - ☒ Make housing in regional NSW more resilient to natural hazards and other potential shocks and stresses
  - ☒ Empower and support local councils to plan strategically for future housing supply
- You can select some or all of the above options as relevant.

#### Provide an explanation of your your project aligns with the selected objectives \*

Future Focus: Uralla Regional Housing Strategy will align with 5 objectives of the NSW Government's Regional Housing Strategic Planning Fund.

1. Support new housing capacity in regional NSW and enable future development by resolving issues and constraints by:
  - Establishing an evidence base to unlock land supply, land banking, support re-zoning and plan future housing needs
  - Identifying needs for housing in the Uralla Shire in the short, intermediate and long term
  - Considering opportunities and constraints to meeting these needs
  - Putting forward options to address these issues, so that the housing needs can be successfully met.
2. Better align and coordinate housing and infrastructure delivery by:
  - Investigating differing needs across sectors of our population into the future, the type of housing required and its location
  - Investigating particular issues for housing that supports implementation of New England Renewable Energy Zone projects
  - Considering infrastructure suitability and sustainability, and whether additional infrastructure or enhancements are required to support future housing need
  - Ensuring a coordinated approach to the delivery of housing and infrastructure in our LGA.
3. Support more housing choice and the availability of affordable and diverse housing in regional NSW by:
  - Ensuring future supply of housing meets the changing needs of our population
  - Addressing the requirements of young families, our ageing population as well as the needs for temporary worker accommodation across agriculture and the Renewable Energy Zone
  - Considering impacts of the increasing cost of housing, and the identified lack of social, affordable and rental housing
  - Exploring partnership opportunities to provide affordable housing on Council owned land.
4. Make housing in regional NSW more resilient to natural hazards and other potential shocks and stresses by:
  - Considering the impact of climate change on our region and how it will interact with current and future housing development
  - Providing recommendations on how to plan for resilient housing development in our LGA.
5. Empower and support local councils to plan strategically for future housing supply by:
  - Providing an evidence base to plan for future housing supply
  - Progressing Uralla Shire Council's long-term strategic planning

## Regional Housing Strategic Planning Fund round 2 - 2023

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- Informing our Council to move forward confidently with housing that meets the needs of current and future residents, temporary workers and visitors to our region.

#### **Provide an estimate of when the project would likely be completed if RHSPF funding is not received. \***

- ☐ 0-6 months later
- ☐ 6-12 months later
- ☐ 1-2 years later
- ☐ 2-3 years later
- ☐ 3-4 years later
- ☐ 5+ years later
- ☒ Would not otherwise be delivered

#### **Outline how the RHSPF funding would enable or accelerate your strategic planning projects and provide a justification or how you have determined when the project would occur or why the project could not occur if RHSPF funding is not received. \***

As a small council with limited resources, it would not be possible to undertake this project in a timely way without RHSPF funding – which will directly enable us to engage external consultants to carry out the work required.

Our remote location means we have limited access to specialist skills locally, so the funding will also mean we can attract these skills to our LGA across the life of the project.

Rapidly changing socio-demographic, environmental and economic conditions in our region mean this is a high priority for our long-term sustainability.

Funding will enable us to fast-track our proposed housing strategy, informing long-term strategic planning by:

- identifying short, intermediate and long term needs for housing in the Uralla Shire over the next 10-20 years
- providing recommendations that support early identification of barriers to future housing supply
- considering opportunities and constraints to meeting these needs, and
- proposing options to address these issues so future housing needs can be met.

As a result, our planning processes and housing pipeline will be more efficient, set within a strategic framework that has the support of our local community, and is informed by a wide range of stakeholders.

## **Strategic alignment**

Describe the strategic need for the project and how it aligns with the existing strategic framework and context, including whether it addresses a gap in the strategic planning or policy framework.

Provide references to any relevant objectives, directions, priorities, strategies, or actions in strategic documents, such as regional plans, LSPS, and other relevant state or local plans, strategies or policies, and describe how the project is consistent with, furthers, or implements these.

You may upload or link to any relevant supporting documentation. Please provide page references to relevant sections or extracts of relevant pages if attaching a long document.

#### **Outline the strategic need for the project and the rationale for why this work needs to be done. \***

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There are two major overarching factors effecting housing across the country, requiring an urgent and strategic re-think:

1. the national housing availability and affordability crisis, and
2. the increasing impacts of climate change, with increased frequency and severity of natural disasters.

Additionally, there are a number of local drivers that have created a mismatch between existing housing stock and land in our LGA, and the current and future needs of residents, industry and visitors in our region:

- a major influx of temporary workers to support agriculture and the Renewable Energy Zone
- a population shift away from major cities to more affordable and desirable regional towns
- balancing provision of short-stay and ongoing rental properties
- a shortage of housing to support young families wishing to move to the Shire to access employment opportunities created by the Renewable Energy Zone and tourism
- an ageing population relocating from outer rural properties to central locations connected to community and services
- a declining average household size, and
- our recent experiences of major fires, flood, plague and drought.

#### **Describe how the project aligns to the existing strategic planning framework at a regional and local level, including any relevant objectives, strategies or actions and a brief explanation of how the project will further these objectives. \***

At a local level, Future Focus: Uralla Regional Housing Strategy will be set within a strategic and policy framework consistent with our:

- Uralla Shire Community Strategic Plan 2017 – 2027
- Uralla Shire Local Environmental Plan & Development Control Plan
- Uralla Shire Strategic Planning Statement
- Uralla Shire Community Participation Plan.

Report recommendations may also form the basis for future amendments to our Local Environmental Plan and other local strategic and planning policies.

At a regional level, we are a member of the New England Joint Organisation (NEJO) consisting of 7 neighboring local councils on the highlands, slopes and plains of NSW. Collectively, we work together to deliver outcomes which provide positive benefits for our communities. Within this context, Future Focus: Uralla Regional Housing Strategy will directly align with our shared strategic priorities including:

- Sustainable economic growth
- Educated, healthy and connected communities
- Investment in critical infrastructure.

At a State level, Future Focus: Uralla Regional Housing Strategy will also align with and support goals identified in:

#### NEW ENGLAND NORTH WEST REGIONAL PLAN 2036

- Goal 1: A strong and dynamic regional economy
- Goal 2: A healthy environment and pristine waterways
- Goal 3: Strong infrastructure and transport networks for a connected future
- Goal 4: Attractive and thriving communities.

#### HOUSING 2041

- 5.1.2 – Partner with councils to develop modern, fit-for-purpose social and affordable



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housing on Land and Housing Corporation land and support implementation of local housing strategies

5.1.3 - Support councils to explore potential use of under-utilised operational land for the purposes of housing where this is deemed appropriate by local communities

5.2.1 - Encourage all NSW councils to develop an affordable housing contribution scheme.

Our strategy will be structured around the same system pillars adopted in the Housing 2041 strategy:

- Affordability — housing is affordable and secure
- Diversity — housing is diverse, meeting changing needs of people across their life
- Supply — housing is delivered in the right location at the right time
- Resilience — housing is enduring and resilient to natural and social change.

#### 20-YEAR ECONOMIC VISION FOR REGIONAL NSW

The 2021 Economic Vision for Regional NSW refresh states “Regional NSW is an economic powerhouse and the backbone of the state’s economic success”.

The document identifies:

- Emerging sectors of Renewable Energy and Gas, Technology enabled primary industries
- Future Industries including critical minerals, ecotourism, recycling and waste management
- New Investment areas including visitor economy infrastructure.

\$120 million has been allocated for Renewable Energy Zones in the Central West, New England and South West regions to unlock a pipeline of large-scale renewable energy and storage projects. This will support up to \$23 billion of private sector investment and up to 2,000 construction jobs each year. \$79 million has been committed for the New England Renewable Energy Zone.

At a national level, this project has potential to support aspirations identified in the Federal Government’s National Housing Accord 2022.

#### Supporting documentation

*No files have been uploaded*

### Project impact

Describe the intended outcomes, impact and benefits of the project. These should be specific to the project, and quantified and measurable where possible. Your response can include both direct benefits that the project will achieve or indirect benefits that will flow from the project, such as qualitative benefits to the community. This may include both short- and long-term benefits.

Benefits may include:

- enabling new housing capacity, or enabling existing housing capacity to be more readily taken up
- providing greater certainty around where future housing development can occur, including the identification of constraints impacting housing development to inform planning for housing growth
- enabling housing that addresses unmet community needs, such as diverse and affordable housing and housing of different sizes, types, and tenures
- increasing the resilience of existing or future housing supply
- improving infrastructure planning to support new housing delivery

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**Your response should also address the significance of the project in your local, subregional, and/or regional context.** This could include commentary the extent to which the project will help to meet future demand or address an existing supply deficit, on the scale of the project, or the importance of the project in addressing specific local or community needs.

#### **Describe and quantify where possible project impacts and benefits \***

This grant will enable the preparation of a locally derived housing strategy to identify opportunities, constraints and mechanisms that support housing delivery for our growing community in the heart of the New England Renewable Energy Zone.

The resulting report and strategy will provide a comprehensive evidence base for greater certainty about where future housing developments could occur, identifying constraints that need to be overcome to enable the supply of housing, and, enable housing that meets the changing needs of our community.

This project is critical to long-term economic and environmental sustainability of our region. We expect the following direct outcomes and benefits:

- Council will have capacity to engage consultants with specialist skills to fast-track this work
- Enhanced community engagement with economic and environmental issues we will face together
- Strengthened partnerships and collaborations with aligned stakeholders
- Critical up-to-date data sets are collected that inform our future strategic planning
- A final report with early identification of constraints to future housing supply and development in our LGA
- Council has greater certainty around where future housing development can occur.

Indirectly, this project will:

- Support the liveability and productivity of our LGA
- Underpin the long-term future of the New England Renewable Energy Zone
- Increase the resilience of our existing and future housing stock.

#### **Dwelling yield \***

0

Must be a number.

Include the expected dwelling yield of the project. Enter '0' if not relevant to your project or if currently unknown.

#### **Dwelling yield justification \***

This is to be determined as a direct result of the development of the housing strategy.

Provide a brief explanation of how the dwelling yield figure has been determined, or, if dwelling yield is not applicable to your project, why it is not applicable and/or currently unknown.

#### **Describe what your next steps will be following the completion of the project, and how the delivery of the project will impact on your forward work program \***

Following completion of the strategy, we will:

- consider findings and report recommendations
- make the final document available for our community and aligned stakeholders
- through further consultation, ensure any approach considers implications and risks on a region-wide basis
- prepare planning and zoning proposals that deliver on the outcomes of the strategy
- undertake internal evaluation of the project and its delivery for future reference

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- share our learnings widely, which may assist other regional towns and / or renewable energy zones.

### Value for money

Describe how the project budget has been designed to achieve value for money and how the grant funding would help your project provide value for money, including whether council or other funding will be used to leverage the impact of the grant funding.

Your answer should address how the grant will impact on the scope, timing, or benefits of the project – for example if the grant would enable a project, and any project benefits, to be realised sooner than would otherwise be possible, and by how much time, or if the funding would enable a planned project to achieve broader impacts and benefits than would otherwise be possible.

If the project has received funding from other grant or government programs or includes a council co-contribution, your answer should address how additional funding will complement or expand the scope or outcome of the project to increase the project's impact.

Make sure to include comments on your capacity to fund this project independently, including why the project has not been able to be funded to date and whether the project will be able to proceed if the full grant amount requested is not received.

#### Value for money response \*

This proposal represents a targeted and effective use of consultants to provide specialist skills not available locally, capacity building our limited internal capacity, while also fast-tracking future-focussed work that considers the many complex internal and external influences that are, and will, impact on our region.

As a one-off investment, this project will have far reaching benefits for our Council, community, industry and the significant pipeline of local renewable energy and storage projects – setting a strategic framework for housing supply in our LGA over the next 10-20 years.

The learnings and recommendations in the report will support and inform a wide range of internal planning and strategy documents. As a highly-networked and collaborative council, we will share the findings with a wide range of stakeholders who may also consider the information beneficial to their planning frameworks.

## Declaration and submission

\* indicates a required field

### Declaration

The provision of false or misleading information is a crime under the *Crimes Act 1900*, No. 4 Part 5A, Section 307B.

**I certify that the information submitted in this application is true and correct to the best of my knowledge. I further understand that any false statements may result in denial or revocation of any funding awarded to this project \***

- ☒ True  
☐ False

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**Privacy statement**

The department must comply with the *Privacy and Personal Information Protection Act 1988*. The department collects the minimum personal information you give voluntarily to allow it to contact an organisation and to assess the merits of an application.

Any information you give will be stored on a database that will only be accessed by authorised personnel and is subject to privacy restrictions. The information will only be used for the purpose for which it was collected. Applicants must ensure that people whose personal details are supplied with applications are aware that the department is receiving this information and how the department will use this information.

**Privacy Statement \***

- ☒ I certify that I have read and understood this information

**Supporting documentation**

Please upload a cover letter signed by the council General Manager or Chief Executive Officer of the local council submitting the application for a single council project.

Joint projects require a declaration signed by appropriately delegated representatives of the participating organisations agreeing to the project as described in the application and the proposed project management and governance arrangements.

Applicants are to secure approvals prior to submission and will be deemed ineligible without this letter. The letter must have a recent date stamp and be specific to this application.

**Letter/s of support \***

Filename: UO 23 3246 IGM - Department Planning & Environment - Grants Panel Regional Housing Strategic Planning Fund Round ~ sent 28 September 2023.pdf  
File size: 89.7 kB

**I certify that all elements of the application are supported and authorised \***

- ☒ True  
☐ False

**Standard funding agreement**

Applicants should read and accept the terms of the draft funding agreement, which can be downloaded through the [program website](#).

Please note that funding agreements for successful councils will be subject to legal review and may be amended.

**I certify that I have read and agree to the terms of the draft funding agreement \***

- ☒ True  
☐ False

**Confirmation of insurance**

Councils applying for funding via this program are required to have a minimum Public Liability Insurance cover of \$20 million.

**Regional Housing Strategic Planning Fund round 2 - 2023****Application form round 2 2023****Application No. RHSPF round 2 -041 From Uralla Shire Council**

Form Submitted 28 Sep 2023, 3:46PM AEST

**Please confirm whether appropriate insurances are held: \***

- ☒ Yes  
☐ No

**Please upload evidence of appropriate insurances. \***

Filename: URALLA 2023-2024 PIL CofC - Liability \$20m.pdf

File size: 33.1 kB

**Submission**

Once you have completed the application and reviewed the application, including making sure you have attached all the required supporting documents, remember to **save and submit your application**.

Once you have submitted your application you will receive a confirmation email with a unique reference number.

**Feedback**

Before you review your application and click the '**Submit**' button, we would appreciate your input on the application process. Please take a few moments to provide some feedback.

Completing this section is optional

**Overall, how difficult did you find the application process?**

- ☐ Very easy  
☒ Easy  
☐ Neither difficult nor easy  
☐ Difficult  
☐ Very difficult

**Approximately how long did it take you to prepare your application? Please provide your answer in minutes.**

2400

Must be a number.

**How could we improve the application process?**

## Department of Planning, Housing and Infrastructure



Ref: IRF24/160  
Your Ref: RHSPF-R2-041

Ms Kate Jessep  
General Manager  
32 Salisbury St  
Uralla NSW 2358  
Via email: [kjessep@uralla.nsw.gov.au](mailto:kjessep@uralla.nsw.gov.au)

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**Subject:** Regional Housing Strategic Planning Fund Round 2 Application

Dear Ms Kate Jessep,

The Department of Planning, Housing and Infrastructure would like to thank Uralla Shire Council for your time and effort in preparing and submitting your application for funding under round 2 of the Regional Housing Strategic Planning Fund (the program).

I am writing to advise that unfortunately on this occasion your application for Future Focus: Uralla Local Housing Strategy was unsuccessful.

We received an overwhelming number of applications (64) for this round of the program and the level of interest greatly exceeded the \$3 million available funding allocation.

All applications were rigorously assessed against the program criteria through a multi-stage process that involved an initial assessment by an expert assessment panel made up of independent panellists and a departmental representative, and subsequent review by an assessment review committee of government agency representatives.

In total, 16 projects have been approved for funding of \$2.93 million by the Minister for Planning and Public Spaces. Details of the successful projects are available at <https://www.planning.nsw.gov.au/policy-and-legislation/housing/housing-package/regional-housing/regional-housing-strategic-planning-fund>.

The Regional Housing Strategic Planning Fund program team will be in contact with council shortly to provide specific feedback on your application.

If you have any further enquiries about the program, please contact [regional.housing@dpe.nsw.gov.au](mailto:regional.housing@dpe.nsw.gov.au).

Yours sincerely,

A handwritten signature in blue ink, appearing to be "Hanna Shalbaf".

**Hanna Shalbaf**  
A/Executive Director  
Housing Supply and Infrastructure

EnergyCo



Ref: DOC23/1116114  
20 December 2023

Ms Toni Averay  
General Manager  
Uralla Shire Council  
32 Salisbury Street  
Uralla NSW 2358

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Re: Letter Agreement - Council Activities – Uralla Shire Council

Dear Ms Averay,

We refer to:

- the letter from the Energy Corporation of New South Wales (EnergyCo) to Uralla Shire Council (ABN 55 868 272 018) (the Council) dated 18 September 2023; and
- the email from Council to EnergyCo dated 18 September 2023.

EnergyCo has been appointed as the infrastructure planner under the *Electricity Infrastructure Investment Act 2020* (NSW) (EII Act) for the New England Renewable Energy Zone (the Project). As part of the procurement and delivery of the Project, EnergyCo requires a range of services and support from local authorities which will increase the utilisation of existing resources and/or increase demand for new resources, particularly with respect to the Council, engineering, planning and senior executive staff.

This letter sets out the agreement between EnergyCo and the Council regarding the Council's performance of the activities set out in item 1 of Schedule 1 (Council Activities) in consideration of EnergyCo's payment of the relevant fee in item 2 of Schedule 1 (Council Fee).

**1 Council Activities**

- (a) **On and from the date of execution of this letter by the Council (Commencement Date), the Council must perform the Council Activities in accordance with the timelines and other requirements of this letter.**
- (b) **The Council is to provide the Council Activities up to and including the date set out in item 5 of Schedule 1 (Expiry Date), unless this letter is terminated earlier in accordance with its terms (End Date). For the purpose of this letter the "Term" is from the Commencement Date until the earlier of the Expiry Date and the End Date.**

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20 Bond Street, Sydney NSW 2000

1800 118 894  
energyco.nsw.gov.au

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- (c) In performing the Council Activities, the Council must:
  - (1) act diligently, and perform the Council Activities with due expedition; and
  - (2) perform the Council Activities to a high standard and with all skill, care and diligence expected of a competent, skilled and experienced professional providing similar services and in accordance with any applicable laws, regulations, standards and codes of conduct.
- (d) The Council must prepare and submit to EnergyCo a report detailing the Council Activities undertaken in the preceding calendar year quarter and providing relevant evidence or documentation of the Council Activities (Quarterly Report). Quarterly Reports must be submitted within 14 days of the last day of the preceding calendar year quarter and must be in the form set out in Schedule 3.
- (e) Quarterly Reports will be reviewed in accordance with Schedule 2.

## 2 Council Fee

- (a) Subject to paragraph 3, EnergyCo must pay the Council Fee to the Council within 20 Business Days after receiving:
  - (1) a duly rendered tax invoice from the Council that complies with the requirements of item 4 of Schedule 1; and
  - (2) a Quarterly Report which complies with the requirements in paragraph 1(d).
- (b) The Council must apply the Council Fee for the sole and exclusive purpose of funding the performance of the Council Activities, and otherwise in accordance with the terms of this letter unless otherwise agreed between EnergyCo and Council in writing.
- (c) The Council must provide all things and services necessary for or incidental to the performance of the Council Activities and the Council's other obligations under this letter, and the cost of doing this is taken to be included in the relevant Council Fee.
- (d) No further funding is to be provided by EnergyCo should the actual costs of performing the Council Activities exceed the relevant Council Fee, unless otherwise agreed by EnergyCo in writing.
- (e) Notwithstanding any other provision of this letter, the Council Fee paid in any twelve (12) month period commencing from the Commencement Date will not exceed the amount set out in item 2 of Schedule 1, unless otherwise agreed by EnergyCo in writing.
- (f) Notwithstanding any other provision of this letter, EnergyCo's total liability under or in connection with this letter, including all the Council Fees paid or payable, will not exceed the amount set out in item 3 of Schedule 1, unless otherwise agreed by EnergyCo in writing.
- (g) The parties acknowledge and agree that the Council cannot claim, and EnergyCo is under no obligation to pay, Council Fees in respect of:



- (1) Council Activities undertaken prior to the Commencement Date; or
  - (2) activities undertaken by the Council that are not listed in item 1 of Schedule 1, unless otherwise agreed by EnergyCo (in its absolute discretion).
- (h) The parties acknowledge and agree that the Council Fees are GST free.

### **3 Review of Council Fee**

- (a) Commencing on 1 February of each year, during the Term, EnergyCo must review the Council Fee which will apply under this letter for the next occurring twelve (12) month period commencing from the upcoming anniversary of the Commencement Date and may notify the Council of any change to the Council Fee.
- (b) Any review of the Council Fee by EnergyCo under paragraph 3(a) must have regard to the following matters:
- (1) changes in the cost base of the Council in performing the Council Activities, including any additional staff that are engaged, or processes that must be followed, in order to provide the Council Activities;
  - (2) demonstration through regular reporting the Council Fee is used for the Council Activity purposes in accordance with this letter, or as otherwise agreed between the parties in writing; and
  - (3) changes in the priorities of EnergyCo in the planning, design, and delivery of the Project.
- (c) During the Term, to the extent EnergyCo do not notify the Council in respect of any change to the Council Fee by the next occurring anniversary of the Commencement Date, the Council Fee for that next occurring twelve (12) month period will be the same as the Council Fee for the previous occurring twelve (12) month period.

### **4 Governance**

- (a) Governance and liaison meetings will be held as detailed in paragraph 4(b), or more frequently if required by EnergyCo, between nominated representatives of EnergyCo and the Council. These meetings will review the effectiveness of this arrangement and deal with various issues, including:
- (1) Council resourcing;
  - (2) Council workloads and upcoming workloads;
  - (3) Project priorities; and
  - (4) compliance with this agreement.
- (b) Governance and liaison meetings will be held quarterly, to commence three months after the Commencement Date, with the parties' nominated representatives set out in item 6 of Schedule 1 or their nominees. The relevant representative may invite other individuals nominated by that person from time to time.

- (c) This paragraph 4 may be satisfied through existing meeting arrangements wherein the matters in this paragraph are addressed on the agenda.

## **5 Further Terms**

- (a) EnergyCo may notify the Council prior to the Expiry Date that it intends to extend the Term of this letter. Where EnergyCo provides such a notice, the parties must engage in discussions (in good faith) for the purpose of reaching agreement on any extension to the Term as well as the relevant Council Activities and the Council Fees for any subsequent term.

## **6 Termination**

- (a) EnergyCo may immediately terminate this letter at any time, and for any reason, by giving the Council written notice.
- (b) If this letter is terminated by EnergyCo under paragraph 6(a) the Council is not entitled to any future unearned Council Fees.
- (c) Where this letter is terminated by EnergyCo under paragraph 6(a), paragraphs 2(e), 7 and 8 survive expiry or termination of this letter. The provisions of this letter survive expiry or termination of this letter to the extent necessary to give effect to this paragraph 6(c).

## **7 Confidentiality and publication**

- (a) The Council must not use or disclose confidential information of EnergyCo (including this letter) except as necessary for the purposes of fulfilling its obligations under this letter and where disclosure is required by law.
- (b) The Council must not provide or issue any document or other information concerning this letter or the Project to, or for publication in, any media or public forum, except:
  - (1) with the prior written consent of EnergyCo; or
  - (2) to the extent required by law.

## **8 General**

- (a) EnergyCo enters into this letter in its capacity as the infrastructure planner under the EII Act for the Project.
- (b) This letter contains the entire agreement between the parties in respect of the Council Activities. It supersedes all prior discussions, negotiations, understandings and agreements, whether written or verbal and whether express or implied, in respect of the matters contained in it.
- (c) Nothing in this letter creates any partnership, agency or fiduciary relationship between the parties.
- (d) The laws of New South Wales apply to this letter and each party irrevocably submits to the non-exclusive jurisdiction of the courts of New South Wales and courts competent to hear appeals from those courts.
- (e) In this letter:

- (1) a reference to a paragraph, party, or schedule is a reference to a paragraph of, and a party, or schedule to, this letter and a reference to this letter includes any schedule;
- (2) a reference to a party includes that party's successors and permitted assignees;
- (3) a reference to any legislation includes all delegated legislation made under it and amendments, consolidations, replacements or re-enactments of any of them;
- (4) a reference to a body, other than a party to this deed (including an institute, association or Authority), whether statutory or not:
  - (A) which ceases to exist; or
  - (B) whose powers or functions are transferred to another body,is a reference to the body which replaces it or which substantially succeeds to its powers or functions;
- (5) where the day on or by which any thing is to be done is not a business day in Sydney, New South Wales, that thing must be done on or by the next business day;
- (6) a reference to \$ is to Australian currency unless denominated otherwise; and
- (f) specifying anything in this letter after the words 'include' or 'for example' or similar expressions does not limit what else is included. This letter will be validly executed if signed in any number of counterparts and the counterparts taken together will constitute one agreement.

By signing and returning a duly counter-signed copy of this letter, the parties confirm their acceptance of the terms of this letter.

Sincerely,



Mike Young  
Executive Director, Planning and Communities  
Energy Corporation of NSW

## EnergyCo



Please countersign and date this letter to indicate your agreement. Retain one copy for yourself and return the other to Thomas Watt at [thomas.watt@dpie.nsw.gov.au](mailto:thomas.watt@dpie.nsw.gov.au).

date 21/12/23  
sign here ► *[Signature]*  
print name TON AVERAY

The Energy Corporation of NSW (EnergyCo) is part of the Treasury Cluster

20 Bond Street, Sydney NSW 2000

1800 118 894

[energyco.nsw.gov.au](http://energyco.nsw.gov.au)

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EnergyCo



## Schedule 1

## Details

| Topic                         | Description of services and work  |
|-------------------------------|---|
| 1 <b>Council Activities</b>   | <p>As part of the Council Activities, the Council is to provide technical, advisory and consultation services directly related to the development and acceleration of the Project. The Council Activities include:</p> <ul style="list-style-type: none"> <li>a) review and provision of advice on the renewable energy zone related transmission, infrastructure and energy generation projects;</li> <li>b) reviewing, providing information and data for cumulative impact studies and analysis;</li> <li>c) services related to planning and delivery for infrastructure upgrades and/or to implement recommendations from cumulative impact studies, such as preparing cost estimates, project scoping, project delivery agreements;</li> <li>d) preparing project documentation for infrastructure upgrades, for example, road infrastructure agreements;</li> <li>e) participating in forums, workshops, or making submissions or applications for funding in relation to community and employment benefit program;</li> <li>f) participating and/or hosting community meetings, renewable energy project and NSW Government consultation sessions and workshops;</li> <li>g) preparation and submission of Quarterly Reports to EnergyCo; and</li> </ul> <p>other services or activities that are directly related to the development and acceleration of the Project, including attending meetings with EnergyCo in accordance with paragraph 4.</p> |
| 2 <b>Council Fees</b>         | \$250,000 (GST free), as adjusted in accordance with this letter.   |
| 3 <b>Total liability</b>      | \$750,000 (GST free).   |
| 4 <b>Invoice requirements</b> | <p>An invoice submitted in respect of the Council Activities must:</p> <ul style="list-style-type: none"> <li>• be invoiced within 14 days of the last day of the preceding calendar year quarter (for example, an invoice for Council Activities completed between 1 April and 30 June must be submitted by 14 July);</li> <li>• be invoiced to the following email address:<br/><a href="mailto:energycoprocurement@dpie.nsw.gov.au">energycoprocurement@dpie.nsw.gov.au</a></li> <li>• where relevant, specify the number of hours worked and relevant personnel hourly rates;</li> <li>• meet the requirements of a tax invoice as set out in the <i>A New Tax System (Goods and Services Tax) Act 1999</i> (Cth); and</li> <li>• meet any reasonable requirements notified by EnergyCo to the Council, from time to time.</li> </ul> <p>The Council can only submit a maximum of four invoices to EnergyCo in respect of Council Activities in each twelve (12) month period commencing from the Commencement Date.</p>  |
| 5 <b>Expiry Date</b>          | The third anniversary of the Commencement Date.   |
| 6 <b>Governance members</b>   | <p>EnergyCo: EnergyCo's Executive Director, Planning &amp; Communities.</p> <p>Council: General Manager</p>   |
| 7 <b>Business Day</b>         | In this agreement, a Business Day means any day that is not a Saturday, Sunday, public holiday or any day during the period declared by the Premier as the Christmas closedown period.  |

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1800 118 894

[energycoprocurement@dpie.nsw.gov.au](http://energycoprocurement@dpie.nsw.gov.au)

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## Schedule 2

### Quarterly Report review process

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- (a) EnergyCo may, within 10 Business Days after a Quarterly Report is submitted (or resubmitted under paragraph (b) below), give the Council either:
  - (1) written comments on the Quarterly Report; or
  - (2) written notice that EnergyCo makes no comments on the Quarterly Report.
- (b) If EnergyCo comments under paragraph (a)(1) on an aspect of the Quarterly Report that does not comply with this letter or is not satisfactory to EnergyCo (acting reasonably), the Council must promptly:
  - (1) revise the Quarterly Report to address EnergyCo's comments; and
  - (2) unless EnergyCo notifies the Council in writing that resubmission is not required, resubmit the revised Quarterly Report to EnergyCo for review and paragraph (a) will reapply.

EnergyCo



## Schedule 3

## Form of Quarterly Report

The following template is to be used in the preparation of Quarterly Reports and includes examples for how to identify Council Activities and their relationship to Renewable Energy Zone-related projects or work. The template can be provided as a letter attachment.

|  |  |
|--|--|
| Council name:  | [Council name]   |
| Council responsible officer:   | [Council responsible officer name, position and contact details]   |
| Reporting period:  | Quarter [Insert] from [insert date] to [insert date].  |
| List of services commissioned or undertaken during reporting period and relationship to development and acceleration of Renewable Energy Zone: | <p>[Please be sure to itemise activities and associated costs and provide relevant evidence eg) invoices, staff timesheets. Please also provide specific project names where applicable and how work relates to the REZ.</p> <p>For example,</p> <ul style="list-style-type: none"> <li>road upgrade costings related to Elong Elong Energy hub April 2023- \$xxxx.xx (invoice attached)</li> <li>participation in and advice for community and employment benefit scheme workshop on 20 May 2024- \$xxxx.xx (staff timesheet attached)</li> </ul> |
| Cost to date:  | \$(Insert)   |
| Remaining amount:  | \$(Insert)   |
| Council sign off:  | [Council nominee endorsement]  |

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**14.8 Monthly Finance Report for February 2024**

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|                       |   |
|-----------------------|---|
| <b>Department:</b>    | <b>Corporate &amp; Community</b>                            |
| <b>Prepared By:</b>   | <b>Manager Finance &amp; IT</b>                             |
| <b>Authorised By:</b> | <b>Interim Executive Director Corporate &amp; Community</b> |
| <b>Reference:</b>     | UINT/24/3281  |

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|                     |   |
|---------------------|---|
| <b>Attachments:</b> | 1. Monthly Financial Report for February 2024 <a href="#">↓</a>  |
|---------------------|---|

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**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

|                  |   |
|------------------|---|
| <b>Goal:</b>     | 4. We are an independent shire and well-governed community  |
| <b>Strategy:</b> | 4.1. Informed and collaborative leadership in our community |
|                  | 4.2. A strategic, accountable and representative Council    |

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**SUMMARY**

The purpose of this report is to provide an overview of the Council's financial performance up to the reporting date, along with analytical comments on significant variances with the budget.

**RECOMMENDATION**

**That Council receives the attached Monthly Finance Report for February 2024.**

**REPORT**

This report provides for the information of Councillors the Income Statement and CAPEX Summary, including a breakdown by fund, for the month ending 29 February 2024.

**URALLA SHIRE COUNCIL**  
**INCOME STATEMENT & CAPEX SUMMARY**  
**Financial Statements for the month ending February 2024**

|   | Amt in '000            |                         |                        |
|---|------------------------|-------------------------|------------------------|
|   | Actuals to<br>February | Proportionate<br>Budget | Budget for<br>the Year |
| <b>Income from continuing operations</b>  |                        |                         |                        |
| Rates and annual charges  | 8,015                  | 7,946                   | 7,946                  |
| User charges and fees (1)   | 3,053                  | 3,924                   | 6,131                  |
| Other revenues  | 401                    | 416                     | 740                    |
| Grants and contributions provided for operating purposes (2)                      | 8,090                  | 7,566                   | 12,743                 |
| Interest and investment income (3)  | 843                    | 629                     | 944                    |
| <b>Total income from operational activities</b>                                   | <b>20,402</b>          | <b>20,481</b>           | <b>28,505</b>          |
| <b>Expenses from continuing operations</b>  |                        |                         |                        |
| Employee benefits and on-costs (4)  | 8,024                  | 7,906                   | 11,858                 |
| Materials and services  | 4,343                  | 4,699                   | 7,048                  |
| Borrowing costs (5)   | 63                     | 30                      | 45                     |
| Councillor and Mayoral fees and associated expenses                               | 88                     | 100                     | 150                    |
| Audit fees (6)  | 28                     | 0                       | 143                    |
| Other expenses  | 185                    | 171                     | 596                    |
| Net loss/(gain) from the disposal of assets                                       | -53                    | 0                       | 0                      |
| <b>Total expenses from continuing operations</b>                                  | <b>12,678</b>          | <b>12,906</b>           | <b>19,840</b>          |
| <b>Operating result prior to consideration of capital grants and depreciation</b> | <b>7,724</b>           | <b>7,575</b>            | <b>8,664</b>           |
| Less: Depreciation, amortisation and impairment                                   | 3,996                  | 4,245                   | 6,367                  |
| <b>Operating result after depreciation</b>  | <b>3,728</b>           | <b>3,330</b>            | <b>2,297</b>           |
| Add: Grants and contributions provided for capital purposes (7)                   | 494                    | 578                     | 5,753                  |
| <b>Overall result with capital grants</b>   | <b>4,221</b>           | <b>3,909</b>            | <b>8,050</b>           |

|                                 | Actuals to<br>February | Proportionate<br>Budget | Budget for<br>the Year |
|---------------------------------|------------------------|-------------------------|------------------------|
| <b>Capital Expenditures (8)</b> |                        |                         |                        |
| Employee benefits and on-costs  | 566                    | 1,187                   | 1,781                  |
| Materials and services          | 3,440                  | 6,191                   | 9,287                  |
| <b>Total Capex</b>              | <b>4,006</b>           | <b>7,378</b>            | <b>11,068</b>          |

**Uralla Shire Council****Commentary to the Monthly Financial Report  
For the month ending February 2024**

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**1. User fees and charges**

Overall revenue from user fees and charges are almost at par, with the exception of the following:

- Revenue from other waste management service is behind \$66k from the budget due to significantly lower amount of scrap sales this year.
- Tablelands Community Support will be utilizing the accumulated fund held in restriction from the past years. Thus, the revenue in TCS will continue to show significantly below the budget. However, upon the application of accounting standard for revenue recognition at the year end, revenue will be restated to align with the services delivered to clients. Currently, TCS shows deficit of \$942k compared to the proportionate budget, while the Council retains \$2.2m in restrictions for TCS.
- Caravan Park has been consistently showing under performance in revenue. As of February, the revenue deficit in Caravan Park amounts to \$33k.

**2. Grants and contributions provided for operating purposes**

Major variance in grants for operations arose from McMaugh Gardens. As of February, McMaugh Gardens received \$496k additional funding compared to the budget, mainly due to increased rate of care funding. The adjustment will be made in QBR53.

3. Interest and investment income from term deposits are received into the general fund account throughout the year and will be allocated to the specific funds at the year-end. Therefore, the general fund will report a higher value of interest income during the year, while other funds will show lower values until the final allocation is made at the year end. Moreover, depending on the RBA's decision, we may need to make another revision in QBR53.
4. The overall employee benefits and on-costs budget for the financial year is \$13,639k. \$11,585 of this was allocated to Opex and \$1,781 to Capital Projects. As of February, actual allocation of employee benefits to capital projects is \$566k, less than half of the proportionate budget. Therefore, the impact of this under allocation starts reflecting in Opex.
5. The borrowing cost has increased due to change in the interest rate on the Bridge Construction and Industrial Loan. This increase will be addressed through QBR53.
6. The audit fees \$28k booked in the current year's account relates to financial year 2022-23, which reflects additional audit fees of \$25k for the annual audit and \$3k for the LRCI audit of 2022-23. The change will be included in QBR53.
7. While we started implementing the AASB15 for revenue from grant funded capital projects to better align the monthly financial report with the annual financial statements, full alignment has not yet been achieved. The final alignment is expected to be completed by end of the financial year when we do reconciliation for the auditors.

8. The progress in implementing capital projects remain slow compared to the budget. The summary below provides an overview of the progress of capital projects made in a month.

| Movement in Capex              |                     |                    |                   | <i>Amts in '000</i> |
|--------------------------------|---------------------|--------------------|-------------------|---------------------|
| Expense Type                   | Actuals to February | Actuals to January | Change in a month | Budget for the Year |
| Employee benefits and on-costs | 566                 | 509                | 57                | 1,781               |
| Materials and services         | 3,440               | 3,015              | 425               | 9,287               |
| Total                          | 4,006               | 3,523              | 483               | 11,068              |

**URALLA SHIRE COUNCIL**  
**INCOME STATEMENT AND CAPEX BY FUND**  
**Financial Statements for the month ending February 2024**

|   | General Fund        |                      | McMaugh Gardens     |                      | Water Fund          |                      | Sewer Fund          |                      |
|---|---------------------|----------------------|---------------------|----------------------|---------------------|----------------------|---------------------|----------------------|
|   | Actuals to February | Proportionate Budget | Actuals to February | Proportionate Budget | Actuals to February | Proportionate Budget | Actuals to February | Proportionate Budget |
| <b>Income from continuing operations</b>  |                     |                      |                     |                      |                     |                      |                     |                      |
| Rates and annual charges  | 6,341               | 6,328                | -                   | -                    | 643                 | 641                  | 1,031               | 976                  |
| User charges and fees   | 1,712               | 2,680                | 806                 | 741                  | 500                 | 465                  | 35                  | 38                   |
| Other revenues  | 400                 | 393                  | 0                   | 23                   | 0                   | -                    | -                   | -                    |
| Grants and contributions provided for operating purposes                          | 5,482               | 5,454                | 2,608               | 2,112                | -                   | -                    | -                   | -                    |
| Interest and investment income  | 819                 | 421                  | -                   | 90                   | 16                  | 93                   | 9                   | 26                   |
| <b>Total income from operational activities</b>                                   | <b>14,754</b>       | <b>15,276</b>        | <b>3,414</b>        | <b>2,966</b>         | <b>1,159</b>        | <b>1,199</b>         | <b>1,074</b>        | <b>1,040</b>         |
| <b>Expenses from continuing operations</b>  |                     |                      |                     |                      |                     |                      |                     |                      |
| Employee benefits and on-costs  | 5,563               | 5,440                | 2,095               | 1,986                | 214                 | 275                  | 152                 | 204                  |
| Materials and services  | 2,895               | 3,019                | 784                 | 719                  | 394                 | 613                  | 269                 | 348                  |
| Borrowing costs   | 61                  | 27                   | 2                   | 3                    | -                   | -                    | -                   | -                    |
| Councillor and Mayoral fees and associated expenses                               | 88                  | 100                  | -                   | -                    | -                   | -                    | -                   | -                    |
| Audit fees  | 28                  | -                    | -                   | -                    | -                   | -                    | -                   | -                    |
| Other expenses  | 185                 | 171                  | -                   | -                    | -                   | -                    | -                   | -                    |
| Net loss/(gain) from the disposal of assets                                       | -                   | 53                   | -                   | -                    | -                   | -                    | -                   | -                    |
| <b>Total expenses from continuing operations</b>                                  | <b>8,767</b>        | <b>8,758</b>         | <b>2,881</b>        | <b>2,708</b>         | <b>608</b>          | <b>887</b>           | <b>421</b>          | <b>552</b>           |
| <b>Operating result prior to consideration of capital grants and depreciation</b> | <b>5,987</b>        | <b>6,518</b>         | <b>533</b>          | <b>258</b>           | <b>551</b>          | <b>312</b>           | <b>653</b>          | <b>488</b>           |
| <b>Less: Depreciation, amortisation and impairment</b>                            | <b>3,134</b>        | <b>3,480</b>         | <b>143</b>          | <b>155</b>           | <b>412</b>          | <b>333</b>           | <b>307</b>          | <b>277</b>           |
| <b>Operating result after depreciation</b>  | <b>2,853</b>        | <b>3,038</b>         | <b>390</b>          | <b>103</b>           | <b>139</b>          | <b>21</b>            | <b>346</b>          | <b>211</b>           |
| <b>Add: Grants and contributions provided for capital purposes</b>                | <b>450</b>          | <b>578</b>           | <b>-</b>            | <b>-</b>             | <b>43</b>           | <b>-</b>             | <b>-</b>            | <b>-</b>             |
| <b>Overall result with capital grants</b>   | <b>3,304</b>        | <b>3,616</b>         | <b>390</b>          | <b>103</b>           | <b>182</b>          | <b>21</b>            | <b>346</b>          | <b>211</b>           |
| <b>Capital Expenditures</b>   |                     |                      |                     |                      |                     |                      |                     |                      |
|   | Actuals to February | Proportionate Budget | Actuals to February | Proportionate Budget | Actuals to February | Proportionate Budget | Actuals to February | Proportionate Budget |
| Employee benefits and on-costs  | 554                 | 1,170                | -                   | -                    | 11                  | 14                   | 1                   | 3                    |
| Materials and services  | 3,384               | 5,311                | 24                  | 120                  | 32                  | 475                  | -                   | 285                  |
| <b>Total Capex</b>  | <b>3,938</b>        | <b>6,482</b>         | <b>24</b>           | <b>120</b>           | <b>43</b>           | <b>489</b>           | <b>1</b>            | <b>288</b>           |

**14.9 Loans as at 29 February 2024**

|                       |   |
|-----------------------|---|
| <b>Department:</b>    | <b>Corporate &amp; Community</b>                            |
| <b>Prepared By:</b>   | <b>Senior Finance Officer</b>                               |
| <b>Authorised By:</b> | <b>Interim Executive Director Corporate &amp; Community</b> |

**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

|                  |      |   |
|------------------|------|---|
| <b>Goal:</b>     | 4.   | We are an independent shire and well-governed community |
| <b>Strategy:</b> | 4.2. | A strategic, accountable and representative Council     |

**SUMMARY**

The purpose of this report is to provide Council with a reconciliation of borrowings as at the end of the reporting month.

**RECOMMENDATION**

That Council notes the loan position as at 29 February 2024 totalling \$1,362,891

**REPORT**

This report is provided to inform Council of the reconciliation of borrowings on a monthly basis.

**Uralla Shire Council  
Loans at 29 February, 2024**

| Uralla Shire Council       |   |  |                    |
|----------------------------|---|--|--------------------|
| Loans at 29 February, 2024 |   |  |                    |
| <b>Loans:</b>              |   |  |                    |
| <b>Loan no.</b>            | <b>Purpose</b>                                    |  | <b>Balance</b>     |
| 165                        | MGH Property                                      |  | \$20,143           |
| 187                        | Undergrounding Power and Main Street Upgrade      |  | \$36,253           |
| 188                        | Paving and Power Undergrounding                   |  | \$12,147           |
| 189                        | Bridge Construction                               |  | \$134,338          |
| 190                        | Bridge construction & industrial land development |  | \$1,160,010        |
| <b>Total</b>               |   |  | <b>\$1,362,891</b> |

**CONCLUSION**

I, Mustaq Ahammed, Manager Finance & IT hereby certify that the above borrowings have been made in accordance with the requirements of the *Local Government Act 1993 (the Act) (Chapter 15, Part 12 – sections 621 to 624) and the Local Government (General) Regulation 2021 (the Regulation) (Section 230).*

**14.10 Investments at 29 February 2024**

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|                       |   |
|-----------------------|---|
| <b>Department:</b>    | <b>Corporate &amp; Community</b>                            |
| <b>Prepared By:</b>   | <b>Senior Finance Officer</b>                               |
| <b>Authorised By:</b> | <b>Interim Executive Director Corporate &amp; Community</b> |

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**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

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|                  |      |   |
|------------------|------|---|
| <b>Goal:</b>     | 4.   | We are an independent shire and well-governed community |
| <b>Strategy:</b> | 4.2. | A strategic, accountable and representative Council     |

---

**SUMMARY**

Attached is a summary of bank accounts, term deposits, cash management accounts and investments in structured credit instruments. The investments have been made in accordance with the Act, the Regulation 2021 and Council's Investment Policy 2019.

The majority of Council's cash is externally restricted and not available for day to day operational expenditure. As per audited financial statements for the year ending 30 June 2023, the amount of unrestricted cash reported in the financial statements is \$799,000. The Council routinely updates its restriction status at the end of each quarter, and the updated restriction status is provided with the quarterly budget review statements. The latest report indicates an unrestricted cash amount of \$902,500. However, it is important to note that several restrictions are updated annually. Therefore, the quarterly updates only provide an estimate until the annual recalculations are completed and audited by the statutory auditors.

**RECOMMENDATION**

**That Council notes the cash position as at 29 February 2024 consisting of cash and overnight funds of \$3,064,900 and term deposits of \$22,554,340 totalling \$25,619,240 of convertible funds, including restricted funds.**

**REPORT**

Current term deposits of \$22,554,340 spread over the next twelve months will receive a range of interest from 4.55% to 5.52% with an average rate of 5.17%. Council's General Fund bank balances (listed in the attachments) have been reconciled to the bank statement as at 29 February 2024.

**Key Issues**

The current official cash rate as determined by the Reserve Bank of Australia (RBA) is 4.35% as at the date of this report. The timing of potential interest rate change will be guided by the incoming data and the Board's assessment of the outlook for inflation and the labour market. The change in interest rates has resulted in higher investment returns this year.


**Restricted and Unrestricted Cash, Cash Equivalents and Investments**

Of the amount of cash disclosed in this report, not all of the cash is available for unrestricted use by Council. The majority of the cash has been set aside to meet external restrictions, being those funds that have been provided for specific purposes such as developer contributions, government grants, loans, water supplies, sewer services and Aged Care Bonds. Additionally, a portion of the cash has been set aside to cover future commitments that Council has made relating to asset renewals, remediation works or leave provisions. As per the Department of Health's prudential guidelines, the council is advised to disclose the amount of McMaugh Garden's bond liability in the investment report.

The McMaugh Garden's bond liability status as at 29 February 2024 is follows:

| Opening Balance | Bond Addition | Bond Release | Closing Balance |
|-----------------|---------------|--------------|-----------------|
| 3,325,000       | 1,200,000     | 850,000      | 3,675,000       |

The schedule of cash at bank and investment is listed below:

|                             |   |                           |  |            |
|-----------------------------|---|---------------------------|--|------------|
|                             | Uralla Shire Council                          |                           |  |            |
|                             | Investments at 29 February, 2024              |                           |  |            |
|                             | Cash at Bank – Operating Accounts:            |                           |  |            |
|                             | Institution                                   | Account                   | Bank Statement   |            |
|                             | National Australia Bank                       | Main Account              | \$1,707,177  |            |
|                             | National Australia Bank                       | Trust Account             | \$31,296   |            |
|                             | Regional Australia Bank                       | USC                       | \$26,879   |            |
|                             | Total   |                           | \$1,765,352  |            |
|                             | Business Investment (Cash Management) Account |                           |  |            |
|                             | Institution                                   | Interest rate             | Balance  |            |
|                             | Professional Funds                            | 0.15% above RBA cash rate | \$1,299,549  |            |
|                             | Total   |                           | \$3,064,900  |            |
|                             |   |                           |  |            |
| Term Deposits:              |   |                           |  |            |
| Institution                 | Term  | Interest rate             | Maturity  | Balance    |
| National Australia Bank     | 11 months                                     | 4.55%                     | 7/03/2024  | 500,000    |
| Commonwealth Bank           | 9 months                                      | 5.52%                     | 18/03/2024   | 1,000,000  |
| Suncorp                     | 12 months                                     | 4.56%                     | 28/03/2024   | 1,000,000  |
| Bank of Queensland          | 12 months                                     | 4.75%                     | 17/04/2024   | 500,000    |
| National Australia Bank     | 9 months                                      | 5.40%                     | 22/04/2024   | 304,340    |
| Bank of Queensland          | 11 months                                     | 4.95%                     | 1/05/2024  | 500,000    |
| Westpac Banking Corporation | 12 months                                     | 4.76%                     | 16/05/2024   | 1,000,000  |
| National Australia Bank     | 12 months                                     | 4.90%                     | 22/05/2024   | 1,000,000  |
| National Australia Bank     | 9 months                                      | 5.20%                     | 25/06/2024   | 500,000    |
| Commonwealth Bank           | 10 months                                     | 4.96%                     | 7/07/2024  | 1,000,000  |
| National Australia Bank     | 12 months                                     | 5.40%                     | 16/07/2024   | 500,000    |
| Suncorp                     | 12 months                                     | 5.40%                     | 24/07/2024   | 500,000    |
| Suncorp                     | 12 months                                     | 5.21%                     | 20/08/2024   | 1,000,000  |
| Regional Australia Bank     | 12 Months                                     | 5.23%                     | 21/08/2024   | 800,000    |
| Westpac Banking Corporation | 12 months                                     | 5.12%                     | 29/08/2024   | 800,000    |
| Westpac Banking Corporation | 11 months                                     | 5.37%                     | 30/09/2024   | 700,000    |
| National Australia Bank     | 11 months                                     | 5.34%                     | 8/10/2024  | 700,000    |
| Regional Australia Bank     | 12 months                                     | 5.20%                     | 13/10/2024   | 700,000    |
| Westpac Banking Corporation | 12 months                                     | 5.49%                     | 14/11/2024   | 1,500,000  |
| Westpac Banking Corporation | 12 months                                     | 5.34%                     | 4/12/2024  | 1,000,000  |
| Westpac Banking Corporation | 12 months                                     | 5.34%                     | 4/12/2024  | 1,000,000  |
| Bank of Queensland          | 12 months                                     | 5.40%                     | 4/12/2024  | 500,000    |
| Regional Australia Bank     | 12 months                                     | 5.40%                     | 5/12/2024  | 800,000    |
| Regional Australia Bank     | 12 months                                     | 5.40%                     | 5/12/2024  | 750,000    |
| Suncorp                     | 12 months                                     | 5.22%                     | 13/12/2024   | 1,000,000  |
| Suncorp                     | 12 months                                     | 5.22%                     | 13/12/2024   | 500,000    |
| National Australia Bank     | 12 months                                     | 5.15%                     | 29/01/2025   | 1,000,000  |
| Suncorp                     | 12 months                                     | 5.10%                     | 7/02/2025  | 500,000    |
| National Australia Bank     | 12 months                                     | 5.15%                     | 11/02/2025   | 1,000,000  |
| Total                       |   |                           |  | 22,554,340 |



**CONCLUSION**



In accordance with Regulation 212 of the Local Government (General) Regulation 2021, the above report is prepared about monies not currently required for use by Council and invested in forms of investment approved by Order of the Minister.

**14.11 Records Management Policy**

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|                       |   |
|-----------------------|---|
| <b>Department:</b>    | <b>Corporate &amp; Community</b>                            |
| <b>Prepared By:</b>   | <b>Service Team Leader</b>                                  |
| <b>Authorised By:</b> | <b>Interim Executive Director Corporate &amp; Community</b> |
| <b>Reference:</b>     | UINT/24/2335  |

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|                     |   |
|---------------------|---|
| <b>Attachments:</b> | 1. Draft Records Management Policy <a href="#"> </a> |
|---------------------|---|

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**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK**

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|                  |  |
|------------------|--|
| <b>Goal:</b>     | 4. We are an independent shire and well-governed community   |
| <b>Strategy:</b> | 4.3. An efficient and effective independent local government |

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**SUMMARY**

The State Records Act 1998 (the Act) requires public officers to make and keep full and accurate records of their business activities.

This report presents the draft Records Management Policy which outlines Council's intent, commitment and approach to meeting its obligations under the Act.

Policy documents are important as they publicly describe Council's position on a particular topic and ensure transparency and accountability. Reviewing policies provides Council with the opportunity to identify improvements, review legislative compliance and ensure they are achieving their purpose.

The purpose of the Records Management Policy is to document Uralla Shire Council's commitment to making and keeping full and accurate records of all its business activities

**RECOMMENDATION**

That Council adopts the draft Records Management Policy 2024.

**REPORT**

The State Records Act (the Act) is designed to ensure the better management of State records throughout their existence and promote more efficient and accountable government through improved recordkeeping.

Council is required to ensure compliance with the Act by:

- Making and keeping full and accurate records
- Instituting a records management program in accordance with standards and codes of best practice for records management.
- Ensuring the safe custody and proper preservation of State records, and
- Maintaining accessibility to digital and other technology dependent records.

Council is committed to meeting these responsibilities by implementing protocols and procedures which ensure that records are made, captured, maintained and disposed of in accordance with the legal, regulatory and business needs of Uralla Shire Council. The Policy establishes clear organisational responsibilities for records management and establishes the basis for protocols for accessing, archiving, disposal and destruction of records.

It is proposed that progress under the Records Management Program will be reported to the Audit Risk and Improvement Committee.

**CONCLUSION**

Council values records and information as a strategic resource that is integral to good business, evidence based decision making and meeting community expectations.

The Record Management Policy provides a framework to meet legislative obligations as well as optimise operational outcomes.

**COUNCIL IMPLICATIONS****Community Engagement/Communication**

The adopted Records Management Policy will be posted on Councils Policy Register and available on Council website.

**Policy and Regulation**

Government Information (Public Access) Act 2009  
State Records Act 1998  
State Records Regulation 2010

**Financial/Long Term Financial Plan**

Effective records management enables efficient access to and retrieval of records which provides for operational efficiency.

**Asset Management/Asset Management Strategy**

N/A

**Workforce/Workforce Management Strategy**

N/A

**Legal and Risk Management**

Effective records management is a key risk management control

**Performance Measures**

Council meets State Records performance benchmarks

**Project Management**

Team Leader Service Centre & Records



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**Policy**

**Records Management**

**2024**

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## INFORMATION ABOUT THIS DOCUMENT

|                                     |  |                                   |               |
|-------------------------------------|--|-----------------------------------|---------------|
| <b>Date Adopted by Council</b>      | 26 March 2024  | <b>Resolution No.</b>             | 49.03/24      |
| <b>Document Owner</b>               | Director Corporate and Community Services  |                                   |               |
| <b>Document Development Officer</b> | Service Centre Team Leader   |                                   |               |
| <b>Review Timeframe</b>             | <i>Within 4 years (unless advised otherwise by applicable NSW Government oversight agencies)</i> |                                   |               |
| <b>Last Review Date:</b>            | 26 March 2024  | <b>Next Scheduled Review Date</b> | February 2028 |

**Document History**

| <b>Doc No.</b>     | <b>Date Amended</b> | <b>Details/Comments eg Resolution No.</b> |
|--------------------|---------------------|---|
| <b>Version 0.1</b> | 27 August 2013      | Refer to Council Resolution No.248/13     |
| <b>Version 0.2</b> | 26 March 2024       | Refer to Council Resolution No 49.03/24   |

**Further Document Information and Relationships**

|   |  |
|---|--|
| <b>Related Legislation*</b>                                 | <i>Government Information (Public Access) Act 2009</i><br><i>State Records Act 1998</i><br><i>State Records Regulation 2010</i><br><i>Privacy and Personal Information Protection Act 1998</i><br><i>Evidence Act 1995</i><br><i>Environmental Planning and Assessment Act 1979</i><br><i>Local Government Act 1993</i>  |
| <b>Related Policies</b>                                     | Uralla Shire Council Code of Conduct<br>Uralla Shire Council Privacy Management Plan<br>Uralla Shire Council Agency Information Guide  |
| <b>Related Procedures/ Protocols, Statements, documents</b> | CIVICA Content Manager User Guides<br>State Records GA39: General Retention and Disposal Authority Local Government Records<br>State Records GA45: General Retention and Disposal Authority Original or source records that have been copied<br>State Archives and Records NSW, 'Standard on Records Management 2015'<br>State Archives and Records NSW, 'Standard on the Physical Storage of State Records' |

*Note: Any reference to Legislation will be updated in the Policy as required. See website <http://www.legislation.nsw.gov.au/> for current Acts, Regulations and Environmental Planning Instruments.*

## 1. OBJECTIVES

- To maintain compliance with applicable records management legislation, regulations, policies, standards and practices
- To ensure that records are appropriately captured and stored to meet operational needs, community expectations as well as statutory and reporting requirements
- To preserve the corporate history of Uralla Shire Council

## 2. SCOPE

This policy applies to all Councillors and staff at Uralla Shire Council and to anyone performing work on behalf of Council, including but not limited to casual staff, volunteers, contractors and consultants during the course of their duties with Council. This policy covers both digital and physical records relating to Council activities, across all operating environments, system environments and physical locations including McMaugh Gardens Aged Care Facility, Tablelands Community Transport and Tablelands Community Support.

## 3. STATEMENT

*The State Records Act* (the Act) requires public officers to make and keep full and accurate records of their business activities. Council is committed to meeting its responsibilities under the Act by implementing best practices in records management. Council's records are made, captured, maintained and disposed of in accordance with the legal, regulatory and business needs of Uralla Shire Council. Council values records and information as a strategic resource that is integral to good business, evidence based decision making and meeting community expectations. Council's records are managed strategically, in a coordinated and consistent approach to protect the interest of Uralla Shire Council and the community.

### 3.1. Records Management Program

Section 12(2) of the Act requires Council to maintain a Records Management Program. This corporate program covers the full range of the organisation's records and information. Council will aim to meet its requirements to establish a records management program under the Act and any associated standards, policies and guidelines. Creation and implementation of this program is the responsibility of the Service Centre Team Leader.

### 3.2. Accountability Requirements

#### a) *General Manager*

- Responsible for complying with the regulations and requirements of the Act and Regulations.

#### b) *Director Corporate and Community*

- Provides that information assets are strategically governed;
- Complies with regulatory and reporting requirements for information management;
- Endorses the internal controls for information management; and
- Authorises information management standards, policies, guidelines and procedures.

#### c) *Manager Governance and Service Centre*

- Oversees Council's Information Management Framework and the Records Management Program;
- Communicates information management standards;
- Develops, maintains and reviews relevant record management policies, guidelines and procedures; and
- Maintains Privacy Management Plans, addresses privacy complaints, manages privacy reviews.

d) *Managers*

- Managers actively support and foster a culture that promotes good information management practices;
- Monitor staff so that they understand and comply with information management policies and procedures;
- Check staff correspondence is captured in the relevant Electronic Document Management System (EDMS) in accordance with internal guidelines and procedures.

e) *Service Centre Team Leader*

- Responsible for the management of Council's records (paper and electronic), archiving services, and access to records requests;
- Implements records and information strategies;
- Oversees system administration and development of Council's record management systems;
- Provides training for staff in relation to legislative record keeping responsibilities as required by the Act.
- Assists and supports all Council staff in meeting their recordkeeping responsibilities.
- Implements controls to prevent unauthorised disclosure, modification, removal or destruction of information and monitor the processing and storing of information.

f) *All staff, Councillors, Contractors and Volunteers*

All council officials are required to 'make and keep full and accurate records' of their business activities. Staff are accountable to their supervisors for compliance with this Policy and with related policies, procedures and guidelines.

Responsibilities include

- Understanding their recordkeeping responsibilities associated with the role, and are familiar with the relevant policies and procedures.
- Creating and capturing records about daily work activities.
- Storing records in approved recordkeeping systems and locations.
- Describing and linking information according to standards so it is easy to search, retrieve and use.
- Reporting or communicating information security events, records loss, incidents and issues associated with information systems.
- Using records only as authorised and in accordance with the Code of Conduct.

### 3.3. Access to Council Records

Access to Uralla Shire Council Records will be in subject to the relevant legislative and associated regulatory instruments:

- *Government Information (Public Access) Act 2009;*
- *State Records Act 1998;*
- *Privacy and Personal Information Protection Act 1998;*
- *Evidence Act 1995; and*
- *Environmental Planning and Assessment Act 1979.*

4.4. Archiving, Disposal and Destruction of Records

Records are kept for as long as they are needed for business and legal requirements in accordance with current authorised records retention and disposal authorities, accountability and community expectations.

4.5. Storage and Security of Records

Uralla Shire Council's Records are stored appropriately to allow for their retrieval, use and preservation in Uralla Shire Council's Records Management Systems with appropriate security applied to folders created or documents created.



**Attachment 1:****RECORD DESTRUCTION AUTHORISATION FORM***(Hard Copy Documents not Digitised, Or Items in S Drive which are the only copy)*

|   |       |
|---|-------|
| Person Making Request:  |       |
| Department:   |       |
| Division:   |       |
|   |       |
| Signature:  | Date: |
| <b>The person making the request should fill in the record destruction details on the second page of this form.</b> |       |

| <b>AUTHORISATION</b>   |     |                              |                             |
|--|-----|------------------------------|-----------------------------|
| <b>Business Authorisation</b>  |     |                              |                             |
| This section to be signed by the head of the unit that controls the records                |     |                              |                             |
| Are the records still required for any of the following functions?                         |     |                              |                             |
| Legal reasons  | yes | <input type="checkbox"/>     | no <input type="checkbox"/> |
| Administrative need  | yes | <input type="checkbox"/>     | no <input type="checkbox"/> |
| Audit / financial requirement  | yes | <input type="checkbox"/>     | no <input type="checkbox"/> |
| <i>If YES has been selected for any of the above, then these records must be retained.</i> |     |                              |                             |
| Name:  |     | Position:                    |                             |
| Signature:   |     | Date:                        |                             |
| <b>Service Centre Team Leader Approval</b>   |     |                              |                             |
| This section is to be signed off by the Service Centre Team Leader                         |     |                              |                             |
| Have the records satisfied minimum retention requirements                                  |     | yes <input type="checkbox"/> | no <input type="checkbox"/> |
| <i>If NO records must be retained.</i>   |     |                              |                             |
| Name:  |     | Position:                    |                             |
| Signature:   |     | Date:                        |                             |



Policy: Records 2024

Record Destruction Details

General Retention and Disposal Authority – GA39 (Local Government Records)

| Class / No.<br>(GA39 Ref) | Description | Date Range | Disposal Action | Department<br>/Division | Destruction Date |
|---------------------------|-------------|------------|-----------------|-------------------------|------------------|
|                           |             |            |                 |                         |                  |
|                           |             |            |                 |                         |                  |
|                           |             |            |                 |                         |                  |
|                           |             |            |                 |                         |                  |
|                           |             |            |                 |                         |                  |
|                           |             |            |                 |                         |                  |
|                           |             |            |                 |                         |                  |
|                           |             |            |                 |                         |                  |
|                           |             |            |                 |                         |                  |



|  |               |
|--|---------------|
| TO BE FILLED IN BY RECORDS MANAGEMENT STAFF ONLY |               |
| Records checked by:                              | on:           |
| Method of destruction:                           | Destroyed By: |

**14.12 Register Resolutions Actions Status as at 20 March 2024**

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**Department:** General Manager's Office**Prepared By:** Executive Assistant**Authorised By:** General Manager**Reference:** UINT/24/4146

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**Attachments:** 1. Register Action Status Report - 26 March 2024  

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**LINKAGE TO INTEGRATED PLANNING AND REPORTING FRAMEWORK****Goal:** 4. We are an independent shire and well-governed community**Strategy:** 4.1. Informed and collaborative leadership in our community

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**SUMMARY**

The purpose of this report is to provide Council with the Resolution Action Status updates.

**RECOMMENDATION**

**That Council notes the Resolution Actions Status Report as at 20 March 2024.**

**REPORT**

Following every council meeting, the resolutions of Council which require action are compiled. This document is referred to as the Resolutions Action Status Report.

The purpose of the Resolutions Action Status Report is to enable Council to monitor progress of resolutions until they are actioned.

Once resolutions have been completed they are removed automatically from the report.

**CONCLUSION**

The Resolutions Action Status Report is presented to Council at each Ordinary Meeting.

| RESOLUTION ACTIONS STATUS REPORT |          |  |  |  | Printed: 20 March 2024 2:56 PM |
|----------------------------------|----------|--|--|--|--------------------------------|
| MEETING DATE                     | ITEM NO. | SUBJECT  | MOTION   | COMMENTS   |                                |
| Council<br>23/11/2015            | 14.1     | Bergen Road Land<br>Acquisition and Exchange for<br>Road Works | <b>RESOLUTION 01.11/15</b><br><br><b>Moved: Cr K Ward</b><br><b>Seconded: Cr L Cooper</b><br><br><b>That the Council approve for the exchange of land associated with the reconstruction of Bergen Road and authorise the General Manager to complete all documentation.</b><br><br><b>Unanimous</b> | <b>18 Jul 2023</b><br><br>Transferred from old system., Notice of road closure gazetted. Plan of subdivision - in progress as at Dec 2015, Solicitor contact numerous time for update - awaiting update.<br><br><b>06 Sep 2023</b><br><br>Publication of Government Gazette in Feb 2023. Solicitor following up with Surveyor for signatures, will then proceed to Deed for sign off.<br><br><b>11 Sep 2023</b><br><br>Solicitor has made contact with Surveyor - Deed of Settlement expected to progress end of September 2023 if planned meeting goes to plan.<br><br><b>18 Oct 2023</b><br><br>Contact has been made with the Solicitor - awaiting update.<br><br><b>13 Dec 2023</b><br><br>A face to face meeting in January 2024 has been requested with APJ from the GM to review what the hold up continues to be in closing this matter.<br><br><b>16 Jan 2024</b><br><br>Meeting held with solicitors resulting in , - finalising of the land registration requires signatures - GM following up on Walcha Council to support progress;; - Surveyor can then prepare for Council's signature for registration with Land Register Services<br><br><b>21 Feb 2024</b><br><br>Solicitor is now to update the Plans in preparation for execution by USC and by owner, Once the documents are executed solicitor can lodge them with the LRS for registration and thereafter proceed with the dedication of public road to the public. |                                |

| RESOLUTION ACTIONS STATUS REPORT |          |  |  | Printed: 20 March 2024 2:56 PM  |
|----------------------------------|----------|--|--|---|
| MEETING DATE                     | ITEM NO. | SUBJECT  | MOTION   | COMMENTS  |
| Council<br>22/03/2022            | 15.12c   | 15.12 PROPOSED CHANGES<br>TO REVENUE POLICY FOR<br>SEWER AND TRADE WASTE<br>CHARGE | <p><b>RESOLUTION 24.03/22-3</b></p> <p><b>Moved:</b> Deputy Mayor Robert Crouch<br/><b>Seconded:</b> Cr Leanne Doran</p> <p>3) Advise potentially effected businesses and individuals of council's intent and the need under the NSW Governments Guidelines to apply for permission to discharge trade waste to the Council sewerage system.</p> <p>4) Advise businesses or individuals of the standard discharge factor, from the Department of Water that council intends to apply to their business and provide them with an opportunity to apply options to ameliorate trade waste, and justify an alternate discharge factor</p> <p>5) Following consideration of the applications and requests to modify, council apply these changes retrospectively to the Water and Sewerage Charges Notices issued in December 2021 and reissue those notices.</p> <p>6) Develop a Trade Waste Policy based on the Model Policy for Discharge of Trade Waste to the Sewerage System.</p> <p><b>For:</b> Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey</p> <p><b>Against:</b> Nil</p> | <p><b>10 Aug 2023</b></p> <p>18/7/2023 Work ongoing on identification of relevant discharge factors is still ongoing, delayed due to resourcing constraints. Officers are currently finalising the work to ensure that the notification requirements can be complied with prior to the charges being imposed including checking the types of businesses and applicable discharge factors. It is anticipated letters will be issued to businesses in the next 2 months after which the program can be implemented.</p> <p><b>10 Aug 2023</b></p> <p>Point 6 - Draft Policy prepared by Staff. Staff have reviewed Rates &amp; Water Charge items to build final report 16/6/2023</p> <p><b>10 Aug 2023</b></p> <p>Modified discharge factors applied following review of business types against NSW Trade Waste Guidelines (Item 5) and these applied on Water &amp; Sewer rate notices.</p> <p><b>18 Oct 2023</b></p> <p>Discharge factors sorted for the handful of outstanding non-residential premises. New trade waste policy needs further drafting work.</p> <p><b>21 Feb 2024</b></p> <p>Trade Waste will be addressed in the Councillor Budget Workshops</p> <p><b>20 Mar 2024</b></p> <p>Closed out and transferred to item 14.6 "Trade Waste Policy".</p> |
| CARRIED 9/0                      |          |  |  |   |

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| MEETING DATE                     | ITEM NO. | SUBJECT   | MOTION   | COMMENTS  |
| Council<br>25/07/2023            | 15.1     | Waste trucks and options for<br>kerbside waste collection | <p><b>RESOLUTION 19.07/23</b></p> <p><b>Moved:</b> Cr Tom O'Connor<br/><b>Seconded:</b> Cr Sarah Burrows</p> <p><b>That Council,</b></p> <p>i. <b>Award a contract to Superior Pak for up to \$500,000 for the purchase of one waste collection truck; and</b></p> <p>ii. <b>Authorises the General Manager to initiate a loan for up to \$500,000 to fund the purchase of one truck for in-house waste collection from the preferred bidder; and</b></p> <p>iii. <b>Continues outsourcing kerbside waste collection services through a private contractor until the arrival of the new waste truck; and</b></p> <p>iv. <b>Further considers this matter when the long term waste strategy and a Master Plan for Uralla Landfill is ready.</b></p> <p><b>For:</b> Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Tom O'Connor and Tara Toomey</p> <p><b>Against:</b> Crs Bruce McMullen and Lone Petrov</p> <p><b>CARRIED 7/2</b></p> | <p><b>07 Aug 2023</b></p> <p>Purchase order of \$496,761.10 has been submitted for a new side loader waste truck, Superior Pak planning to visit Council for a meeting to confirm the technical specs.</p> <p><b>14 Sep 2023</b></p> <p>Meeting has been schedule for Thursday 21/9/2023 to discuss the specs with the supplier.</p> <p><b>16 Oct 2023</b></p> <p>AMEW advised Truck has been ordered, arrival expected March 2024.</p> <p><b>11 Dec 2023</b></p> <p>Further to the initial advice of receiving the Truck in March 2024, I have been advised by the Asset manager that the Truck will arrive in April 2024.</p> <p><b>20 Mar 2024</b></p> <p>The contractor has advised that the truck will not be available for delivery until June 2024. Accordingly the existing contracted services will continue until receipt. Consultant is aiming mid-late March submission of first draft for:, 1. The Uralla Landfill Masterplan, 2. The Residual Waste Options Assessment, The draft strategy will be reported to Council - expected April 2024.</p> <p><b>20 Mar 2024</b></p> <p>RFT for interim waste/recycling pickup services has been issued to the market and is still open.</p> |

## RESOLUTION ACTIONS STATUS REPORT

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| MEETING DATE          | ITEM NO. | SUBJECT  | MOTION  | COMMENTS  |
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| Council<br>19/12/2023 | 13.1     | Minutes Bundarra School of Arts Hall and Community Consultative s355 Committee from 22 November 2023 | <p><b>RESOLUTION 07.12/23</b></p> <p><b>Moved:</b> Cr Leanne Doran<br/><b>Seconded:</b> Cr Sarah Burrows</p> <p><b>That Council</b></p> <ol style="list-style-type: none"> <li>1. Receives the minutes of the Bundarra School of Arts Hall and Community Consultative s355 Committee meeting held 22 November 2023 noting: <ul style="list-style-type: none"> <li>Amendment is required for item 4.1 - The Committee does not wish to purchase new chairs and trestle tables at this time; and</li> </ul> </li> <li>2. Receives a further report on proposed works and entrance signage; and</li> <li>3. Writes to relevant telecommunication providers regarding future mobile phone coverage for the Bundarra area.</li> </ol> <p><b>For:</b> Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey</p> <p><b>Against:</b> Nil</p> <p style="text-align: right;"><b>CARRIED 9/0</b></p> | <p><b>22 Feb 2024</b></p> <p>Entry signage is being developed into a Shire package with Council supporting Rotary</p> <p><b>22 Feb 2024</b></p> <p>Council have met with Telstra Regional Managers to impart the importance of the coverage in Bundarra and other areas.</p> <p><b>20 Mar 2024</b></p> <p>Meeting with Bundarra Committee attended 28 February with Minutes Report being presented to Council at its ordinary meeting on 26 March 24.</p> |

## RESOLUTION ACTIONS STATUS REPORT

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| MEETING DATE          | ITEM NO. | SUBJECT                                 | MOTION  | COMMENTS   |
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| Council<br>19/12/2023 | 14.6     | Draft Policy for Liquid Trade Waste     | <p><b>RESOLUTION 14.12/23</b></p> <p><b>Moved:</b> Deputy Mayor Robert Crouch<br/><b>Seconded:</b> Cr Tom O'Connor</p> <p><b>That the report on the Draft Liquid Trade Waste Policy be deferred to the February 2024 Ordinary meeting.</b></p> <p><b>For:</b> Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey</p> <p><b>Against:</b> Nil</p> <p style="text-align: right;"><b>CARRIED 9/0</b></p>   | <p><b>20 Mar 2024</b></p> <p>Intended action replaced with Councillor Workshop in early March 24. Input received and Draft TW Policy currently being compiled prior to presentation to future Council Meeting seeking endorsement for Public Exhibition phase prior to proceeding further.</p>   |
| Council<br>19/12/2023 | 14.5     | Rationalisation of Waste Services Areas | <p><b>RESOLUTION 11.12/23</b></p> <p><b>Moved:</b> Cr Leanne Doran<br/><b>Seconded:</b> Cr Tara Toomey</p> <p><b>That Council:</b></p> <p>1) <b>Endorses the proposed waste service areas for consultation with community effective from 1<sup>st</sup> July 2024 for Bundarra, Invergowrie, Uralla, and Kentucky as follows:</b></p> <p>☐ <b>Bundarra – All existing routes (as per Attachment 1) plus an additional route comprising the Bundarra stretch of the Thunderbolts Way.</b></p> <p>☐ <b>Invergowrie - All existing routes (as per Attachment 2) plus the additional routes comprising the Bundarra Road (the USC section of Bundarra Road and Thunderbolts Way); the remaining part of Thunderbolts Way; the entire Hawthorn Drive; and the entire Rocky River Road.</b></p> | <p><b>27 Feb 2024</b></p> <p>1. All landholders/ratepayers in the new service areas have been identified, 2. Properties with residential facilities or structures to be identified from farm lands, 3. Rate payers who are located in existing service areas but opted out of the service have been identified and will be contacted. 4. Yet to finalise the communication strategy to use to maximize gains., 4. Letters to be sent to affected residents and 2 community meetings to be held (one in Uralla at the Council Chambers and the other at Bundarra in the Town Hall).</p> <p><b>20 Mar 2024</b></p> <p>Community engagement plan under development. To be progressed April-May.</p> |



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| <p>☐ Uralla - All existing routes (as per Attachment 3) plus the additional routes comprising of Rifle Range Road; Flat Rock Road; Castle Drive; and the entirety of Kliendienst Road.</p> <p>☐ Kentucky - All existing routes as per Attachment 4 with no further changes.</p> <p>2) Undertakes a comprehensive community engagement program in early 2024 to ensure residents are fully informed prior to the implementation date.</p> <p>3) Supplies all future red lid waste bins to new customers directly to ensure and control the quality and uniformity of kerbside collection bins, and to existing customers as damaged or failed bins are identified by staff, with the cost to be incorporated into the waste service charge.</p> <p>4) Receives a further report on completion of community engagement.</p> <p><u>For:</u> Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey</p> <p><u>Against:</u> Nil CARRIED 9/0</p> |      |   |  |   |
| Council<br>19/12/2023   | 14.4 | Project Updates - Public<br>Spaces Legacy Program | <p><b>RESOLUTION 10.12/23</b></p> <p><b>Moved:</b> Cr Tom O'Connor</p> <p><b>Seconded:</b> Cr Lone Petrov</p> <p><b>That Council</b></p> <ol style="list-style-type: none"> <li>Note the update and status reports for the Rotary Park Project; the Pioneer Park Project; and the Glen Project; and</li> <li>Ask the General Manager to circulate the 'Advertising Uralla' draft content to Councillors for their information prior to finalising for display at The Glen.</li> </ol> <p><u>For:</u> Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey</p> | <p><b>20 Mar 2024</b></p> <p>Item 2 - "Advertise Uralla" Update - This has been presented to UTEC for comment/input and is awaiting return from UTEC.</p> |

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| MEETING DATE                     | ITEM NO. | SUBJECT   | MOTION  | COMMENTS   |                                |
| Council<br>27/02/2024            | 14.12    | Proposed Licence of the RSL Memorial Hall to Uralla Neighbourhood Centre. | <p><b>RESOLUTION 05.02/24</b></p> <p><b>Moved:</b> Cr Tom O'Connor</p> <p><b>Seconded:</b> Cr Leanne Doran</p> <p>1. That Council licenses the occupation of part Lot 67 in DP881705 being the RSL Memorial Hall to the Uralla Neighbourhood Centre Incorporated for a period of 2 years for the purposes of managing the facility and delivering community support services to residents and families in the Uralla Shire area; and</p> <p>2. The General Manager executes the licence under delegated authority.</p> <p><b>For:</b> Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey</p> <p><b>Against:</b> Nil</p> <p style="text-align: right;"><b>CARRIED 9/0</b></p> | <p><b>20 Mar 2024</b></p> <p>Director Infrastructure &amp; Development advised a document is being worked on.</p>  |                                |
| Council<br>27/02/2024            | 14.13    | Grace Munro Aged Care Centre - leasing matters                            | <p><b>RESOLUTION 25.02/24</b></p> <p><b>Moved:</b> Deputy Mayor Robert Crouch</p> <p><b>Seconded:</b> Cr Sarah Burrows</p> <p>1. That Council provides written consent to Grace Munro Aged Care Centre limited for the grant of a sub-lease of part lot 24 in DP753646 to Transport for New South Wales for the purposes of providing access for the Lone Pine Walkway Replacement Project.</p> <p>2. That Council provides a letter of support to Grace Munro Aged Care Centre limited for a grant of \$460,000 for the proposed extension of the facility on the condition that Grace Munro Aged Care Centre limited will be responsible for the future maintenance and renewal costs of the extension and will indemnify Council for any</p>             | <p><b>20 Mar 2024</b></p> <p>Written consent to sub-lease to Transport for NSW sent 11 March 2024. Letter of support for grant for extension of Grace Munro Centre sent 11 March 2024. Report created for May 2024 Council Meeting - Proposed terms and conditions of a long term lease to Grace Munro Centre, Bundarra.</p> |                                |

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| <div>damage to the existing building arising from construction work associated with the extension.</div> <div>3. That a report be brought back to the May 2024 Ordinary meeting on proposed terms and conditions of a long term lease of the facility to Grace Munro Aged Care Centre limited</div> <div><div>For:</div><div>Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey</div></div> <div><div>Against:</div><div>Nil</div><div>CARRIED 9/0</div></div> |      |                    |            |   |  |
| Council<br>27/02/2024   | 14.5 | Tree<br>Guidelines | Management | <div>RESOLUTION 14.02/24</div> <div>Moved: Cr Sarah Burrows</div> <div>Seconded: Cr Leanne Doran</div> <div>That Council</div> <div>1. Notes the submissions received.</div> <div>2. Notes the staff responses and amendments to the guidelines related to the submissions: and,</div> <div>3. Adopts the amended Guidelines for Tree Management with the following amendment:<div>Council is responsible for the pruning of all trees on the streets, and residents are not generally permitted to prune street trees. If you believe a street tree needs pruning, please contact Council's Customer Service team to request staff to check the tree and take appropriate action. In cases where residents have typically maintained these trees, they should seek permission from Council before continuing to do so"; and</div></div> <div>4. Note the advice from the Director Infrastructure &amp; Development that a rural roads reserve management policy will be prepared for Council consideration for a future meeting, including guidance related to rural landowner boundary areas.</div> | <div>20 Mar 2024</div> <div>In train, awaiting return of Manager Environment and Waste to finalise actions</div> |

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| <p><b>For:</b> Crs Robert Bell, Robert Crouch, Tim Bower, Sarah Burrows, Leanne Doran, Bruce McMullen, Tom O'Connor, Lone Petrov and Tara Toomey</p> <p><b>Against:</b> Nil</p> <p style="text-align: right;">CARRIED 9/0</p> |      |                        |                |  |   |
| Council<br>27/02/2024   | 14.6 | Urgent<br>Requirements | Minor<br>Works | <p><b>RESOLUTION 17.02/24</b></p> <p><b>Moved:</b> Cr Tom O'Connor</p> <p><b>Seconded:</b> Cr Tim Bower</p> <p><b>That Council:</b></p> <ol style="list-style-type: none"> <li>Endorses the intention to install replacement perimeter stock fencing to renew the failed existing perimeter fencing at Council's Uralla Sewer Treatment at an estimated cost of \$8,000 drawn from unexpended Sewer Capital Renewal funds which are available within the current budget.</li> <li>Endorses the intention to install approximately 50m of stormwater pipe in order to underground the existing flows of stormwater through the private property at 72 Hill Street, at an estimated cost of \$10,000 drawn from unexpended Stormwater Capital Renewal funds which are available within the current budget.</li> <li>Notes that future investigation of stormwater impacts on two further properties downstream of 72 Hill Street will be undertaken and further stormwater undergrounding may be recommended to Council during the budget setting processes for the Financial Year 2024/2025.</li> </ol> <p><b>For:</b> Crs Robert Bell, Tim Bower, Sarah Burrows, Leanne Doran, Tom O'Connor, Lone Petrov and Tara Toomey</p> <p><b>Against:</b> Nil</p> <p><b>Absent:</b> Crs Robert Crouch and Bruce McMullen</p> <p style="text-align: right;">CARRIED 7/0</p> | <p>20 Mar 2024</p> <p>Work instructions issued for both actions and now underway.</p> |

**15 CONFIDENTIAL MATTERS**

Nil

**16 COMMUNICATION OF COUNCIL DECISION**

**17 CONCLUSION OF MEETING**